



**HALIFAX COMMISSION
ON CITY GOVERNMENT**

Members of Commission:

Harold Crosby
Chairman

Anita Dubinsky
Vice Chairman

Zilpha Linkletter

Allan O'Brien

Struan Robertson

Kenneth Rowe

Chester Sanford

Robbie Shaw

Research Directors:

Kelli Antoft

Peter Aucoin

**HALIFAX COMMISSION
ON CITY GOVERNMENT**

**Report on the Structure
and Processes of
Halifax City Government
1982**

Released: September 29, 1982



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September 28, 1982

His Worship Mayor Wallace and
Members of City Council
City of Halifax
Nova Scotia

Dear Mayor Wallace and Aldermen:

We are pleased to submit herewith the final report of the Halifax Commission on City Government which City Council appointed in September of 1981.

Our terms of reference were to review and report on the following:

- . the capacity of Council to assess and respond to the present and future needs of the City;
- . the accountability of Council, its departments, boards and commissions to the citizens of Halifax;
- . the effectiveness of Council's authority to decide on necessary public services and regulations and to direct their delivery and administration; and
- . the appropriateness of the City's management system for the optimum use of its financial and personnel resources.

Our terms of reference required us to focus our review and recommendations on the structures and processes of City government. We were not asked to examine Council's policies, to audit the efficiency of their implementation, or to assess the performance of elected or appointed officials.

Nor were we asked to examine specific measures whereby Council and staff might better cope with this current period of financial constraint in City government. We have been conscious throughout our review, nevertheless, of the current financial difficulties which confront the City of Halifax along with all other governments in Canada.

Our terms of reference required us to consider how, on the one hand, the City might strengthen the accountability for local public policy and services and, on the other, improve where possible the effectiveness of present political and administrative systems. While Council will wish to consider carefully what action it may take, we believe that the implementation of our recommendations would lead to improved accountability and effectiveness at no extra cost to city taxpayers.

In presenting this report, may we thank City Council for the honour bestowed on the members of the Commission by the appointment of each of us to carry out this review.

We also wish to thank all members of Council, the City Manager and senior City staff, as well as the members and staff of boards and commissions for the time which was spent with us, our research directors and staff in the conduct of our review.

The Commission received every cooperation and great assistance from officials in all the departments, boards and commissions included in our review. In particular, we acknowledge the significant contribution which their "agency reports" made to our study and deliberations. Without these, our review would have required both more time and a larger budget.

Citizens and community groups also played a part in this review. The Commission, as you are aware, held public meetings to hear the views of citizens on this important subject and to receive written submissions. These submissions proved valuable to Commission members, and we wish to acknowledge our gratitude to those many individual

citizens and community groups who assisted us in our work.

The work of Commission members involved bimonthly meetings of the full Commission for a good part of this past year and weekly meetings during the last few months. In addition, we conducted collective sessions with yourselves, the City Manager, departmental directors, and the leaders of several of the City's unions.

Our research staff prepared an agency profile questionnaire for all the departments, boards and commissions included in our review. The response to these was excellent and most useful in the work of our research directors and our research assistant. Our research staff conducted individual interviews with all members of Council, the City Manager, all departmental directors and other City staff, and members and staff of all boards and commissions. A number of officials were interviewed more than once. Information from all of these sources was treated with the utmost confidence.

Our research staff examined departmental reports and minutes of Council and Council committees for the past year as well as other City documents, studies and reports. They considered other forms of municipal government organization in Canada, including recent changes and proposed changes to the structures and processes of a number of Canadian cities. Information was collected on the time spent by Aldermen on City business in general, and on Council and committees in particular. A special report was prepared for us on the matter of labour-management relations, a report that was based in large part on a process of discussion between City union leaders and a researcher who was assigned this subject only. Research papers were prepared and, as might be expected, our report has gone through a number of drafts as a result of the intensive interaction of Commission members and our research staff.

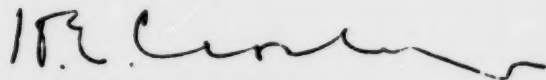
At an early stage of our review, we decided that a separate review and report on the governing and management of police services was urgently

required. Our Special Report on Police Matters was presented to Council on March 17, 1982. It is included in our final report as Appendix I.

The Commission members, who served as volunteers during the intensive year-long period of meetings and study, were ably served by the Commission staff. The research, interviews and preparation of Commission reports were under the joint direction of Kell Antoft, Director of the Institute of Public Affairs, Dalhousie University, and Dr. Peter Aucoin, Director of the School of Public Administration, Dalhousie University, with full-time assistance of Chris Parke.

Members of the staff of the Institute of Public Affairs undertook important assignments in the process of the study and in the preparation of the reports. These included Grant MacDonald and Jack Novack who assisted in special research tasks; Olga Neal, who served as Commission Secretary; Irene MacCready, who undertook a variety of administrative tasks and oversaw the preparation of the final draft with the assistance of Yvonne Currie and Shirley Phillips; and Margaret Dingley, who served as copy editor. To all of these, the Commission extends its sincere appreciation.

Sincerely,



HALIFAX COMMISSION ON
CITY GOVERNMENT

Harold E. Crosby, F.C.A.
Chairman

Anita Dubinsky

Kenneth Rowe

Zilpha Linkletter

Chester Sanford

Allan O'Brien

Robbie Shaw

Struan Robertson

REPORT SUMMARY

I. The Council-Manager System of Government

We have concluded that the Council-Manager system has served Halifax well and continues to be an appropriate organization for the governing of the City. Although there are several areas where the system needs to be improved and strengthened, we recommend that the Council-Manager system be maintained.

II. The Structures and Processes of City Council

The structures and processes of Council require, in our opinion, a number of changes in order to ensure that relationships between the Mayor, Deputy Mayor, Aldermen, City Manager and staff, and the public are arranged in ways that secure public accountability in City government, enhance effective leadership and administration, and promote representative and informed citizen participation.

Our recommendations seek to reduce the time that Aldermen spend on Council committees, boards and commissions, and as well to present a clearer definition of the responsibilities of Aldermen who serve on these bodies. We attempt to provide a clearer understanding of the position of the Mayor and recommend that the Mayor's role

and that of the Deputy Mayor be arranged to better enable the Mayor to provide political leadership to Council while, at the same time, continuing to be an impartial chairman of formal Council meetings.

We attempt to define the appropriate relationships between the members of Council and the City Manager and administrative staff and we recommend ways to ensure that Council is better informed of the outcome of its policy decisions but that it not intervene in matters of administration which are properly the responsibility of the City Manager.

We seek to enhance the representativeness of citizen involvement in City government and citizen access to information and documents about City policies, plans, and programs. To this end, we recommend a more open process for the nomination of citizens-at-large to serve on Council committees and boards and a more formal process for their selection. We recommend that Council and Committee of the Whole Council meetings and public hearings be held in the evenings. We recommend that citizens have improved access to information through the creation of a public information centre to be administered by the City Clerk.

We also report and make recommendations on the following processes of Council decision-making: land use planning and control; budgeting; auditing; tendering;

labour-management relations; selection of the City Manager; stipends and honoraria; and election finances.

Our major recommendations in respect to these processes include:

- . the removal of lot consolidation applications from the agenda of Council;
- . the creation of an integrated planning, evaluation and budgeting process;
- . the establishment of an Audit Committee of Council;
- . the adoption of a tendering process which would remove many minor items from the agenda of Council;
- . the establishment of information sessions to bring together Council, the City Manager, senior staff, and union leaders for informal discussion on labour-management relations;
- . the adoption of election finances reforms in line with recent changes at the federal and provincial levels in respect to tax deductions for campaign contributions, public disclosure and public subsidies.

III. Boards and Commissions

The present arrangement whereby many functions of City government are directed and managed by separate boards requires, in our opinion, major changes. Such boards are appropriate in order to obtain citizen participation and expertise and to restrict political interference in the

management of certain services. On the other hand, such boards impose costs in terms of policy accountability and overall efficiency in City government. In addition, a distinction must be made between City boards, which fall within the jurisdiction of City government, and inter-governmental boards, in which the City is but one party along with other governments, mainly the provincial and other municipal governments.

We recommend that a set of policies be adopted for control and accountability in respect to boards which should remain separate from the regular structures and processes of the Council-Manager system. These policies relate to the definition of responsibilities for members of Council, especially Aldermen and citizens-at-large, who are appointed to these boards; the processes of policy-making for boards; the adoption of the principles of "program budgeting" in respect to Council's financial support for their operations; and reporting and review procedures. We recommend that these policies apply as well to intergovernmental boards in so far as the City is able to exercise authority.

In line with our criteria for the appropriateness of separate boards to direct and manage City services and activities, we recommend that four boards be retained. These include the Board of Police Commissioners, the Board of Health, the Civic Hospital Board and the Non-Profit

Housing Society. We recommend that four boards be reconstituted as standing committees to perform advisory functions for Council and City departments. These include the Taxi Commission, the Forum Commission (as part of the Recreation Committee), the Directors of Point Pleasant Park (as part of a new Parks and Gardens standing committee), and the Recreation Committee (which should not have management functions). We recommend that the operations of the Forum Commission and Point Pleasant Park be integrated into City departments.

We also recommend that the functions of two commissions, namely the Industrial Commission and the Public Service Commission, be assumed by a reorganized Metropolitan Authority. Our recommendations in respect to the Metropolitan Authority include the adoption of the principle of representation by population and the selection of a chairman independent of the four municipalities which comprise the metropolitan area.

IV. The Administrative Structure

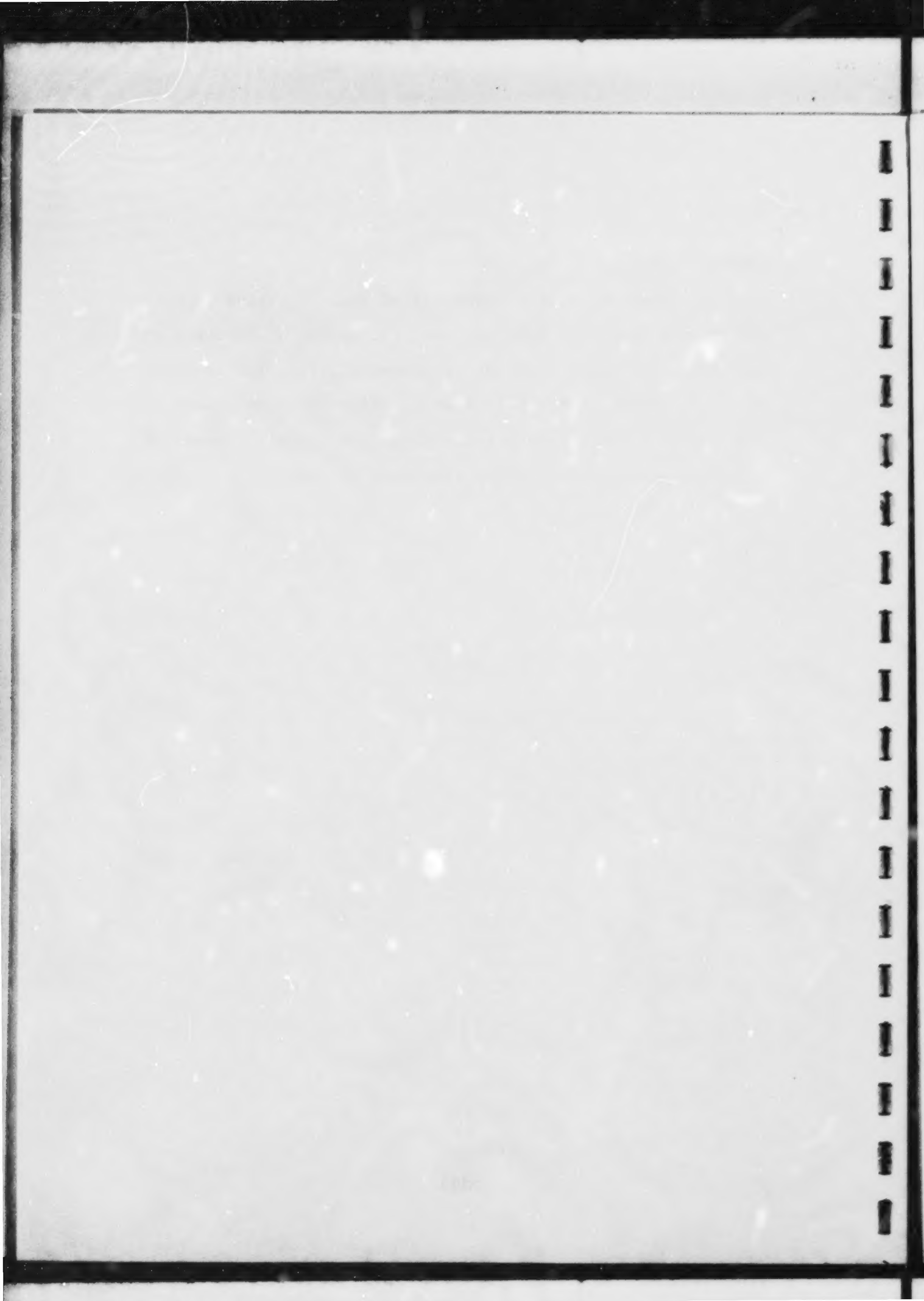
Our principal recommendations in respect to the administrative structure of City government relate to the authority and responsibilities of the City Manager, the distribution and integration of authority and responsibility at the senior level of management, and the functional relationships between and among City departments and boards.

Our recommendations concerning the role of the City Manager serve to ensure that he have the financial authority to relieve Council of the need to give specific approval to routine or unexpected minor financial transactions through the establishment of an annually approved Contingency Fund. We also recommend that the Fire Chief report to and through the City Manager in order that all departmental directors, except the Chief of Police for whom we have previously made other recommendations which have been adopted by Council, be integrated into the administrative structure of the Council-Manager system.

We recommend that the central management structure of the City's administrative system be reorganized to ensure that the City Manager have the required time to spend on his policy planning and advisory roles for Council and that a more effective means to provide departmental coordination within and between departments be established. Accordingly, we recommend that the Departments of Social Planning and Recreation be integrated into a new Department of Community Services and that the Departments of Planning and Development be integrated into a single Department of Planning and Development. With this reduced number of departments, and therefore departmental directors, we recommend that the City Manager delegate more authority and responsibility to departmental directors for administrative

coordination.

In respect to the functions of administrative support and operational departments we recommend a number of changes, including greater responsibilities for the City Clerk in regard to the provision of information to Council, staff and citizens, and a rationalization and realignment of several present departmental responsibilities.



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PART I. THE COUNCIL-MANAGER SYSTEM OF GOVERNMENT

Our review of the structures and processes of Halifax City government was undertaken in order to evaluate and report on:

- (1) the capacity of Council to assess and respond to the present and future needs of the City;
- (2) the accountability of Council, its departments, boards and commissions, to the citizens of Halifax;
- (3) the effectiveness of Council's authority to decide on necessary public services and regulations and to direct their delivery and administration;
- (4) the appropriateness of the City's management system for the optimum use of its financial and personnel resources.

A central question for our review was whether the "Council-Manager system of government", adopted in Halifax over thirty years ago, is still the best organization for the governing of the City of Halifax. This question is central precisely because the Council-Manager system is in fact a "system of government" and to alter it would require major changes at both the political and administrative levels. Our terms of reference, however, gave us the mandate to consider this as a central and first question.

A. The Principles of the Council-Manager System in Halifax

The City of Halifax adopted the Council-Manager system over three decades ago in order to make Council control of the administration of the City effective through the coordination of policy advice and administration by a City Manager. The previous Council-Committee system had placed too great a burden on the committees of Council to provide administrative, as well as policy, direction and guidance to the City's administrative officers. The new office of City Manager was viewed as a means of ensuring that the day-to-day administrative affairs of City government were managed in accordance with Council policy and that there was greater coordination of the management of City departments and agencies.

The principles upon which the Council-Manager system is based are essentially twofold. Council possesses the authority within its jurisdiction to establish policies for the provision of public services, the regulation of persons and property, and the allocation of the financial resources of the City government. The City Manager, on the other hand, is responsible and accountable to Council for the implementation of Council's policies and day-to-day administration of its programs, as well as the management of the City's financial and personnel resources. The Council-Manager system, in short, starts with an assumption

that it is possible to make a useful distinction between policy and administrative responsibilities.

The introduction of the Council-Manager system in Halifax resulted in neither the abolition of Council's committee system nor any major reorganization of existing boards and commissions. Moreover, it excluded the Police and Fire Chiefs from the direct authority of the City Manager, leaving them with a considerable measure of administrative independence. However, except for the purpose of "enquiry", Council was to deal with the City's administrative departments "solely through the City Manager".

B. The Operation of the Council-Manager System in Halifax

In actual practice the Council-Manager system has served the City of Halifax well. The "system" has evolved over the past thirty years, of course, but it has not been the subject of major or sustained controversy or criticism by either citizens, politicians or administrative staff. There have been and are, however, a number of expressed concerns about the development of this system to this point, and they require some comment.

First, the members of Council - Mayor and Aldermen - have been required to devote a very substantial amount of time to the details of government because the

system has no executive body or Cabinet to coordinate policy matters. Therefore, Council as a whole, albeit through majority vote, exercises legislative and executive powers. Neither the Mayor nor any Council committee is able to exercise, on behalf of Council, the powers of Council, and all major matters must be decided by the entire body. In addition, for most matters, the Committee of the Whole Council is the mechanism for consideration of items requiring discussion prior to submission to Council. Furthermore, Council members are included in large numbers on the various boards and commissions to which Council has the right to appoint members. Consequently Aldermen, who are part-time, spend upwards of twenty to thirty hours per week on City business. In the case of the Mayor, the position has become full-time.

The second development involves the increasingly demanding role of the City Manager. Over the past three decades the administration of the City has become exceedingly complex: the management and coordination of the "day-to-day business affairs" of the City is a full-time task in itself. At the same time, in the absence of any real mechanism for coordination at the political level, the City Manager must seek to interact with Council to promote consistency and policy coherence as much as possible.

A third area for comment is the place of boards and

commissions within the Council-Manager system. Boards and commissions, as direct agencies of City government have developed as alternative forms of organization to regular administrative departments. These bodies (hereafter referred to simply as "boards") place considerable additional time demands on members of Council. They also raise concerns about diffusion of authority and duplication of administrative costs, as well as questions of policy control and public accountability. Indeed, the number and variety of boards now in place constitute a significant departure from the basic principles of the Council-Manager system.

C. An Evaluation of the Council-Manager System in Halifax

Our review of the present Council-Manager system, in light of our terms of reference, required us to examine the size, composition and roles of the present Council structure; the relationships between Aldermen, the Mayor, the City Manager, departmental staff, and boards and their staff in respect to policy-making and implementation; and finally, the position and role of the City Manager in respect to the structures and processes of City government. In undertaking this review we solicited the views of all of the above officials - elected and appointed - as well as the comments of citizens. We also considered other forms of

City government found elsewhere in Canada.

We have come to the general conclusion that, while problems exist, the Council-Manager system has served Halifax reasonably well and that reform of this system, rather than the adoption of a different system, constitutes the most appropriate course for the City of Halifax to follow. No other major form of government - the Council-Board of Control system, the Council-Commission system, the Council-Committee system, or any of the major variations thereof - offers a decided advantage over the Council-Manager system. We should note that, prior to the adoption of the Council-Manager system by Halifax, the City had tried both the Council-Board of Control and Council-Committee systems.

The size of the present Council, with twelve elected Aldermen in addition to the Mayor, affords sufficient representation to the citizens of Halifax, who, according to the 1981 census, number just over 114,500. The composition of the Council, with the election of a single Alderman for each of the twelve wards of the City and a Mayor elected at large, provides a reasonable basis for public accountability to the electorate. The collective responsibility for setting policy requires a Council that can function as a decision-making body, and the present size is within a practical range. Council, in short, is large enough to

provide adequate representation and small enough to act as a decision-making body.

In respect to the relationships between Aldermen, the Mayor, the City Manager, departmental staff and boards and their staff, however, the present Council-Manager system is not totally ideal, as we outline in subsequent sections of our report. Except in regard to an excess of boards, however, the weaknesses are not serious enough to demand major changes in the basic Council-Manager system. Indeed, we have concluded that the basic relationships between policy-making on the one hand and policy implementation on the other, which the system is designed to provide, are essentially sound and that whatever changes are required ought to build on the existing strengths of the system.

Also important, however, is the need for both Council and staff to develop a better understanding and appreciation of their respective and appropriate roles if the Council-Manager system is to provide the good government which the citizens of Halifax quite properly expect. Good structures may be ineffective in terms of results if they are inadequately appreciated or understood by the participants, whether elected or appointed.

We have concluded that the legislated role of the City Manager within the structure of City government is generally appropriate for an efficient and effective form of

administrative organization. The management system, as it has evolved under successive City Managers, has generally served to promote sound financial and personnel administration. In the past decade, however, the demands on the time and energies of the City Manager have grown substantially, to the point where measures to preserve the advantages of this administrative system must be undertaken. Our recommendations, therefore, are directed towards the strengthening and improvement of the Council-Manager system in the City of Halifax.

PART II. THE STRUCTURES AND PROCESSES OF CITY COUNCIL

In this part of our report we review the structures and processes of City Council within the context of the Council-Manager system of government. The first section provides an outline of both the pattern of authority, responsibility and accountability within this system and the effects which this pattern has on the performance of members of Council, including their relations with each other, City administration staff and the public. We conclude this section with an evaluation of the current structures and our recommendations to improve them. The second section examines and makes recommendations on the processes which are used by Council to conduct the business of City government. These processes are related to the structures which we refer to in the first section and thus there must be some overlap in our treatment of the two subjects.

A. The Structures of City Council

1. Authority, Responsibility and Accountability

As mentioned in Part I of our report, the Council-Manager system is designed to ensure that all major matters of City policy are subject to the collective powers of Council. The powers of Council are set forth in the City

Charter and include the authority:

- . to establish policy by ordinance, administrative order or resolution for all matters within its jurisdiction including the provision of public services and the regulation of persons and the use of property, subject to the approval of the Minister of Municipal Affairs;
- . to establish the capital and operating budgets required for the purposes of City government, including the operations of several intergovernmental boards;
- . to establish administrative departments and agencies and to assign responsibilities to them;
- . to appoint the City Manager, heads of departments, and persons to serve on several committees and boards;
- . to direct the City Manager, and through him City staff, in the development and implementation of Council policy.

In the exercise of its authority, however, Council is empowered to act only as a collective or corporate body, with at least a majority vote of Council required. No single member of Council, Mayor included, or any committee of Council can exercise the powers that are given to Council by the City Charter. Council, in other words, does not have a separate executive branch as part of Council. The Mayor is the "chief official", as the Charter describes this position, but within the Council-Manager system he is not

the chief executive officer, president or prime minister of Council. The City Manager is the chief administrative officer of the City government, but he does not possess the complete set of powers to be considered a chief executive officer. Rather, Council as a collective body is vested with both legislative and executive powers.

Although the Council can exercise its authority only as a collectivity, there are neither constitutional incentives nor a political convention to encourage, let alone require, the formation of a majority group in Council to function as the "government" of Council. Rather, both the Mayor and Aldermen function as elected representatives who are and consider themselves to be responsible and accountable mainly to their respective constituencies. The Mayor is elected by the public at large and not by the Council. He is, therefore, accountable directly to the public. He is responsible to the other members of Council for the performance of his "duties" as chief officer of Council, as described in the Charter, but he does not require the confidence of Council to continue as its chief officer.*

The Mayor, furthermore, cannot be held responsible for what Council does except insofar as he is a party to its

*If he is to be an effective political leader of Council, on the other hand, he must obviously have the support of at least a majority of Council, a point which we examine shortly.

decisions. Since at present he casts a vote only in the case of a tie vote by Aldermen, his responsibility is reduced even further. Likewise, Aldermen cannot be held responsible for what Council does except insofar as they are a party to its decisions. An Alderman who votes against the majority of Council, for instance, cannot be held responsible for a policy or decision which he opposed.

The process of public accountability which is provided by civic elections enables citizens to hold both the Mayor and their individual Alderman to account only for their individual performances and only if they seek re-election. There is no formally constituted "government" or informal "government group" either to re-elect or to vote out of office, precisely because there are no formal or informal mechanisms to ensure that an organized majority is in control of Council and thereby responsible for what Council does.

2. Behaviour, Roles and Organization

The arrangement of authority, responsibility and accountability that is described above has important effects on (1) the behaviour of the members of Council, including the ways in which they relate to their constituents; (2) the relationship of the Mayor to Council; (3) the conduct of Council meetings and Council-staff relations; and (4) the organization of Council for the conduct of City business,

including the use of committees and boards. Other factors also affect each of these matters, but it is important to underline the significance which the basic structures of the Council-Manager system have for each of them.

a. Representation

Because each member of Council is accountable directly to his constituents, most members of Council give a high priority to personal representation of their respective constituents. Given both the scope and variety of City government services and regulations now found in Halifax and the expectations which citizens have of their elected representatives on Council, this has resulted in a Mayor who is full-time and Aldermen who, on the average, are nearly half-time on City business. This workload results partly from the time required to respond to the concerns of individual citizens and citizen groups in person, or by telephone or by letter, and the resulting need to follow up citizen's queries with City staff.

Frequently members of Council prefer to deal with City staff directly on behalf of their constituents, rather than simply putting them in touch with the appropriate official. Members of Council differ in how they handle concerns of constituents and in how much of their time is taken up with such tasks. In the case of all aldermen, however, this kind of representation on behalf of individual constituents and

citizen groups does demand a substantial proportion of the total time spent on their aldermanic duties.

b. Council-Mayor Relations

Aldermen have mixed views on what they expect from the Mayor. On the one hand, they recognise his leadership role both as the chairman of Council and also because of his full time status and his mandate to represent the whole electorate. On the other hand, Aldermen expect the Mayor to be a neutral chairman of Council and to speak on behalf of Council only after Council has decided what its policy is on any particular matter. Aldermen's expectations of the Mayor, in short, require that he provide leadership, but to do so without infringing the rights and powers of the full Council.

Aldermen also expect the Mayor to act as an intermediary between Council and the City Manager and his* staff. At the same time, they do not view the Mayor as an executive officer with the right to issue directives to staff. Rather, the City Manager and staff are considered responsible and accountable to the full Council. In relations with staff, the Mayor's task therefore is to facilitate interaction of Council and the administrative

*Wherever the pronouns "he", "his" or "him" are used, also read "she" and "her" as appropriate.

branch of government, without inhibiting full and open communication.

c. Council Meetings

Council conducts its business as public business, open to the scrutiny of the press and citizens alike. This open process is not simply a result of the City Charter; it also flows from an insistence by members of Council that they represent and be seen to represent their constituents in a public forum. This same concern for their individual responsibilities and accountability may help explain the tendency of Council agendas to include, among major matters of public policy, items which can be described as largely administrative.

d. Council Organization

Council has organized itself in ways which require the extensive participation of members of Council in all areas of City government. For the purpose of detailed examination of matters for decision, Council sits as a Committee of the Whole Council. All members of Council are involved, in the expectation that the duplication of debate, circular references, and loss of time associated with the former Council-Committee system will be avoided. Only for certain matters, none of which constitute major policy areas, has Council established committees composed of fewer than the

full membership of Council, and almost all these committees report to the Committee of the Whole Council and not to Council directly. Once again, the rationale for this approach is that the members of Council, given their individual responsibilities and accountability to their constituents, must be involved in all major aspects of Council business. It also follows from this rationale that Council members have become involved, in very considerable numbers, on all the boards to which the Council is empowered to appoint members. At the same time, however, Council has sought to use boards as mechanisms to promote citizen participation in City government. This, among other factors, has led to a considerable number of such boards and thereby has increased the demands on the time of members of Council.

3. Evaluation and Recommendations

a. Responsibilities and Roles of Aldermen

We have noted that the time which Aldermen must spend on City business has now reached approximately half-time of a normal work week. In addition to constituency representation, Aldermen spend on average at least one full working day per week on Council and Council committee meetings, and significantly additional time is, of course, required for preparation for these meetings. The numerous

boards and commissions which meet on a regular basis also consume substantial time and energy.

Aldermen who were on Council prior to the expansion of Council to twelve from ten Aldermen have concluded that this expansion has reduced their individual workloads somewhat. However, because the size of Council cannot be increased much beyond its present number if it is to be an efficient decision-making body, any increase in the workload of Aldermen would make it nearly impossible for them to remain part-time. Since a number of our later recommendations will require greater attention by Council to central questions of policy planning, evaluation and budgeting, it is imperative that the workload of Aldermen be reduced in other areas of lesser importance.

The time that Aldermen spend on City business is affected in part by the support services or resources made available to them. At present these are modest and are limited essentially to secretarial services in the person of one aldermanic aide. Although there is some limited interest among Aldermen in an enhanced research service for Aldermen, there is also a recognition by them that they could become better informed of City operations through improved processes of planning, evaluation and budgeting. We recommend such improved processes later in this part of our report. Here we simply note that increased research

services for Aldermen can be provided if the information services of the City are improved, and in Part IV of our report we have recommendations on this subject.

In addition to our recommendations to ensure that Aldermen are better informed on City operations, we make recommendations which seek to reduce the number of administrative matters with which Council must deal.

We also make a number of recommendations in Part III, our report on boards, which will have the effect of reducing the time that Aldermen must now devote to these agencies of City government.

In this section of our report, however, we consider one other area where time demands on Aldermen should be reduced, namely the time spent by Aldermen on Council committees other than Committees of the Whole Council. In addition to the Committee of the Whole Council, there are numerous other committees on which Aldermen are required to serve. As we shall outline later, these "standing" and "special" committees serve to advise Council and also to promote citizen participation in City government. It is useful to have Aldermen serve on these committees to act in a liaison role with Council. However, where such aldermanic representation is desired and appropriate, we recommend that this representation be provided by no more than one Alderman, in addition to the Mayor who may serve on all

standing committees and on some special committees.

No more than one Alderman should be required if this liaison responsibility is given the attention it deserves and if Council is prepared to meet periodically with its standing and special committees to consider major policy proposals. At a minimum, Council should meet at least annually with those standing committees whose terms of reference include the provision of policy advice on major questions of City business. These annual meetings should normally occur during the planning, evaluation and budgeting process which we outline later.

b. Responsibilities and Roles of the Mayor and Deputy Mayor

The relationship of the Mayor to Aldermen in the context of Council government is unique in the Canadian political experience. This is the only political arena where we expect a political leader to be an impartial or independent chairman of the legislative/executive body of which he is the chief officer. A mayor must obtain a firm knowledge of Council rules and their intended application. He must be able to provide effective chairmanship in such a way that rules are applied firmly but fairly. Since the Mayor must chair formal Council meetings, and yet at the same time provide political and policy leadership for the Council, it is crucial that he be given an opportunity to participate more fully in the work of Council: to prepare

motions, to move them, and to lead the debate on them.

In recognition of the above requirement, we recommend that the Mayor not be in the chair for meetings of the Committee of the Whole Council but that the Deputy Mayor chair the meetings of the Committee of the Whole Council. The Committee of the Whole Council is the forum where Council members should normally formulate policy prior to the formal approval at Council. As a participant in debate, the Mayor will be better able to provide policy leadership in Committee of the Whole without the constraints which must obtain when he is in the chair for Council meetings. Council meetings should be the place where final consideration is given to policies formulated in Committee of the Whole Council and, while it is not inappropriate for Council to have second thoughts about a policy so formulated, the normal process should be that Council approves what is decided in Committee of the Whole. In exceptional cases, where Council has second thoughts and does not simply refer the matter back to Committee of the Whole Council, the Mayor should exercise his option of leaving the chair to speak to the matter, especially if he has played a major role in its development. By the judicious use of these opportunities the Mayor should have ample opportunity to provide the required political leadership at both Council and Committee of the Whole

Council meetings.

The role of political leader is one which the Mayor is required to play for at least two reasons. First, the Mayor must be willing to receive representations from all citizens and groups, since he is the one elected official who has the entire civic body as his constituency. While it is common for citizens and groups to exaggerate the formal authority of the Mayor, it is also the case that the position of Mayor does possess the potential to exercise informal powers of some significance. The Mayor's formal "duties" give him no authority independent of Council, but his public stature, his full-time status, his role at the interface of Council and staff, and his access to information afford him some opportunity to "organize" majorities on Council in order to establish the direction and consistency of Council policies. Second, the Mayor provides official representation for the City in intergovernmental relations involving other municipalities, the Province and the federal government. Although he cannot speak for Council in the absence of a Council policy or position on matters of an intergovernmental nature, he has the responsibility to see that the City's interests are advanced in various official forums. He must also, accordingly, give close attention to the need to have Council adopt appropriate policies or positions so that the City might be seen to be following a

coherent and consistent direction with the required degree of consensus on Council.

This matter of political leadership is not one that requires an extensive overhaul of the role of the Mayor. However, in addition to our recommendation that the Mayor not chair the Committee of the Whole Council we also recommend that the Mayor be appointed as a full voting member to all boards of the City and, in so far as he is able, to all intergovernmental boards to which the Council makes appointments. The Mayor should not be viewed in this regard as an ex officio member whose participation is merely nominal. Rather, the Mayor's responsibility should be to ensure that, as chief officer of Council, he is fully informed of the affairs of these agencies.

In line with the above recommendations, we further recommend that the present arrangement for the selection of the Deputy Mayor, now based on seniority on a rotating basis, be discontinued. The Deputy Mayor must be an Alderman in whom the Mayor can place his confidence if the Mayor and Deputy Mayor are to work together as Chairmen of Council and Committee of the Whole Council respectively. Accordingly, we recommend that the Mayor have the power to nominate an Alderman to be Deputy Mayor for a one year, annually renewable term, and that Council have the power to ratify this nomination but not to make other nominations.

This procedure will enable the Mayor to nominate an Alderman to serve as Deputy Mayor but leave to Council the right to reject the Mayor's nomination. At the same time, however, it should ensure that the Mayor nominates someone in whom the Council has confidence and, in so doing, ensure that the position and role of Deputy Mayor is afforded the status which is required for the chairman of Committee of the Whole Council. We also recommend that in any instance where the Mayor feels he cannot serve on any particular board or committee that the Deputy Mayor serve in his place.

The above considerations are designed to enhance the leadership roles of the Mayor and the Deputy Mayor. We consider these leadership roles to be central to the more effective functioning of Council. In line with these considerations, we also recommend that the Mayor as Chairman of Council, and the Deputy Mayor as Chairman of the Committee of the Whole Council, have the right and the duty to vote in all circumstances (excepting those involving a conflict of interest) and not just to break a tie vote. If the Mayor is to exercise policy leadership then he should be required to cast a vote, even when he is in the chair for Council meetings. The Deputy Mayor, on the other hand, should not be deprived of a vote because of being in the chair for Committee of the Whole Council or, in exceptional circumstances, in the chair for decisions by Council. As

elected officials, the Mayor and the Deputy Mayor should neither be deprived of the right to vote nor excused from the obligation to vote on matters of City policy. Each is responsible for their decisions and accountable to their respective constituencies, and their constituents should know where they stand on matters of City policy. In the case of a tie vote, we recommend that the motion before Council be considered defeated.

Given the roles presented for the Mayor and Deputy Mayor in the above recommendations, it is essential that they be fully informed of the business to be considered by Council. For this reason we recommend that the Mayor and Deputy Mayor attend the meetings of Agenda Committee of staff in order to be briefed on the substance and procedures of the matters to be considered by Council and Committee of the Whole Council.

c. Council-Citizen Relations

The conduct of Council's business takes place almost exclusively in public since there is no executive of Council to function in private and, accordingly, all members of Council wish to be involved in all matters of Council business and to be seen to be so involved. There is also, of course, the right of citizens and the press to observe Council in its deliberations and decision-making on public business. Taken together these factors have made the

operation of the Council-Manager system one of the most open and public systems of local government in Canada.

The open and public character of the Council-Manager system is clearly a feature of Halifax City government that should be preserved and promoted. In addition, citizen access to the work of Council would be improved if all meetings were scheduled in the evening. We recommend, therefore, that Council, Committee of the Whole Council, and public hearing meetings be held in the evenings.

In order to promote public knowledge of City business, citizens should have access to all Council meetings and reports, with the exception of those related to personnel matters, litigation and negotiations where Council sees fit to conduct its business in private session. As we outline in greater detail in Part IV of our report, a public information centre should be established in order that citizens, as well as members of Council and staff, have ready access to all public documents of the City. This centre should be administered by the City Clerk and in the operation of this information service the City Clerk should establish a process to ensure that all public libraries are aware of the documents available at this centre and, where practical, more formal documents are available at these libraries. In addition, we recommend that documents and access to City facilities be provided to citizens at cost in

order to promote informed citizen involvement in City government. As an exception to the centralization of information services, we recommend that the Information Office of the Planning Department, which also serves the Planning Advisory Committee, be retained as a separate function because of the particular and specialized responsibilities of this office. We also support the responsibility given to this office for initiating interaction with citizens and citizen groups.

We recommend further, for the twin purposes of efficiency in the conduct of Council meetings and the public's right to be informed of Council's agenda, that the current practice of allowing the addition of items to the agenda at the beginning of Council meetings be limited to items which receive the approval of two-thirds of the whole Council. Our review of this practice indicates that the procedure is subject to abuse, in that what should be a means to provide for the addition of urgent items has become a standard means of adding numerous items, most of which cannot be classified as urgent matters. The abuse of this procedure results in members of Council and staff not having an opportunity to prepare for such items and citizens not being fully informed of Council's agenda.

d. Council-Staff Relations

Two factors are critical in the practice of Council-staff relations under the Council-Manager system. First, the fact that Council conducts its business in public serves to introduce a tension between members of Council who wish to be seen to be representing the interests of their constituents and staff who are responsible for the consistent and professional administration of City programs and regulations. This tension can result at times in a situation where some or all members of Council engage in public criticism of staff as though they were the "opposition" and staff were the "government". Although members of Council have a right to be critical of staff, such criticism is often misdirected when the object of criticism is not staff performance but rather existing policies or past decisions of Council. Moreover, staff have neither the right nor the opportunity to speak as they please either in or outside of Council meetings. Hence, criticisms where warranted should be conveyed privately and through the City Manager. On the other hand, Council does not possess at present the means whereby it can engage in serious and ongoing evaluations of existing policies and programs and their administration.

The second factor affecting Council-staff relations generally is that Council does not have the means to ensure

coordination and consistency of its actions. As noted previously, there is no executive structure to instill discipline in policy or administrative matters in at least a majority of Council. As a result, there is the tendency for individual members of Council to attempt to direct staff to act on their requests, especially in respect to time-consuming research, without the approval of Council. Indeed, some members will request such research information services directly of departmental heads rather than through the City Manager, notwithstanding the provisions of the City Charter. Where such requests are for information that is readily available, the City Charter clearly defines them as the legitimate exercise of the right of members of Council to make "enquiries" of staff. Where such requests require either research or extensive collation of data, the request for information becomes a directive to undertake specific tasks rather than an "enquiry". Only Council as a body has the power to issue directives, however, and then only through the City Manager.

Several recent experiences in Council-staff relations indicate that some improvement is required. In other sections of our report we recommend changes which are designed to improve the working relationships between Council and staff by way of better processes of Council deliberation and decision-making. A clearer understanding

of the respective roles of elected and appointed officials is also required and, to this end, we recommend that orientation and educational programs be established for both Council and staff on the operation of the Council-Manager system for the purpose of promoting a greater understanding of the roles of Council and staff.

The right of members of Council to make enquiries of City staff for information on any service or program within the current budget of Council should obviously be maintained. We recommend that any request for information which in the City Manager's judgement would require a staff study, extensive use of staff time, or other administrative costs require Council approval before the necessary research is undertaken.

We also recommend that the provision of the Charter which gives a director of a department the right to have his objections to a recommendation of the City Manager placed before Council be deleted. In its place, we recommend that all reports and recommendations of directors on matters for consideration by Council be tabled by the City Manager with his separate recommendations attached to them. This procedure, in our judgement, should serve to ensure that Council is made aware of the different professional and administrative opinions which are held by senior staff on matters which require Council decision. This procedure has

been implemented in large part by the City Manager over the past year or so and constitutes, in our view, a significant advance over the present provision of the Charter.

A further concern about Council-staff relations involves the tendency of Council to involve itself in what, in our opinion, must be considered to be administrative matters and which, under the Council-Manager system, should therefore be the responsibility of the City Manager. Over the past year Council has established two committees, the Transportation Committee (to review the use of City-owned vehicles) and the Committee to Review Hiring, which reflect this tendency. In each case, Council has sought to intervene in administrative processes, notwithstanding the provisions of the City Charter and the principles of the Council-Manager system on which these provisions are based. These interventions, in our view, cannot serve to promote effective and efficient government, precisely because they undermine the structures, process and thus the operation of the Council-Manager system.

What is important in each of these cases, insofar as our terms of reference are concerned, is that Council decided to intervene in matters of administration. It did not seek to establish policies to govern the matters in question, nor did it hold the City Manager to account for his responsibilities and administrative decisions. Either

or both of these two alternatives would have been appropriate actions for a Council operating within the Council-Manager system. For the above reasons, we recommend that Council disband these two committees.

e. Council Committees and Citizen Participation

There are two final aspects of the organization of Council which, in our view, need to be considered in respect to the structure of the Council-Manager system. The first concerns the Council's committee system. The second concerns the participation of citizens at large on committees of Council.

Council's committee system is composed of three different types of committees. First, there are the "committees of the whole Council", which include both Committee of the Whole Council itself and a number of other "committees": the Finance and Executive Committee, the Planning Committee, the Safety Committee and the Works Committee. We recommend that the separate designations of these several committees be discontinued and that the Committee of the Whole Council use these designations simply as headings for its agenda. This will be a change merely in form and not in substance, of course, but it should eliminate whatever confusion now exists. It will also enable Council to distinguish between the Committee of the Whole Council, which is composed only of members of Council,

and standing committees of Council, which is a designation we propose be reserved for continuing committees composed of less than the full Council and including citizens at large.

Standing committees are the second type of Council committee, and their principal functions are to consider matters within their terms of reference, or as directed by Council, and then to advise Council. They do not have decision-making or management functions, but in some cases they may serve in an advisory capacity to City departments as well as to Council itself. In this way they provide an excellent organizational mechanism for Council to obtain ongoing citizen participation in City government. The Planning Advisory Committee is one such example.

The third type of Council committee involves special committees which Council appoints to perform advisory functions on either a short-term or periodic basis, such as the Task Force on Offshore Activities or the Stipends Committee.

Although the names which are attached to these bodies are not a critical issue of Council policy, it is recommended that the term "committee" be used in place of "commission" or "task force" whenever the functions to be performed are advisory in nature. The great variety of names now given to the considerable number of non-departmental City agencies serves only to confuse

citizens as to the structures of City government. The actual operations of the City will be complex enough even when confusing terminology is dispensed with.

Our second concern with the organization of Council relates to the participation of citizens at large in City government by way of standing and special committees of Council.* Many members of the public possessing specialized knowledge or experience perform invaluable service to the City through their participation on these committees, and continued volunteer participation should be encouraged. On the other hand, to ensure that fresh ideas and viewpoints are brought forward, we recommend that citizens serve no more than two consecutive terms of three years (or six consecutive years) on any one committee. We also recommend that service on standing or special committees be considered volunteer service and, accordingly, that no honoraria be paid to citizens appointed to these committees.

We further recommend that Council adopt a more open process for the nomination and appointment of citizens to serve on standing committees. This process should include the following procedures:

- . Within five days following regular elections for Council, public advertisements should be placed in the

*In Part III we consider the role of citizens at large on boards and commissions.

daily newspapers inviting nominations for citizen appointments to standing committees of Council. All nominations made by citizens, citizen organizations or any member of Council or staff are to include a brief biographical note on each nominee and an indication of the nominee's willingness to serve.

- . From the total list of nominees, the Mayor is to submit appointment recommendations to Council.
- . Council, sitting in private session, is to make the final selection, based on the Mayor's recommendations.
- . Council would give formal approval to the list of persons so selected at the next formal and public meeting of Council.

In making their selection, the Mayor and Council should apply the following criteria: expertise and experience; interest; representation of the demographic and geographic structure of the City, including sex, age, race, ethnicity and place of residence; and integrity and the capacity for objectivity. In respect to the need for criteria, we note for example that women have in the past been grossly under-represented on standing committees.

These recommendations are designed to ensure the broadest possible public input in deciding on the nature of citizen participation in City government. Public input through the right to make nominations will reinforce the

purpose for which citizens at large are appointed to these committees. At the same time, the provision of a greater number of nominees should serve to assist the Mayor in his recommendations. Finally, consideration by Council of the Mayor's recommendations (which Council has the right to veto) should occur in private since serious evaluation of the Mayor's recommendations is similar to staffing appointment decisions that are also considered in private sessions of Council.

B. The Processes of City Council

The basic structures of City Council require that a number of conditions obtain in the ways whereby Council conducts its business if the principles of the Council-Manager system are to be upheld. The several processes now in place do not, in our opinion, meet all of these conditions as effectively and efficiently as is possible. In this section we review a number of these processes and make recommendations which are designed to introduce a greater degree of effectiveness and efficiency in the operations of Council.

1. Land Use Planning and Control

The process which Council now uses for land use planning and control is complex. The several different kinds of procedures involved are outlined in a comprehensive

document entitled "Citizen Participation in Land Use Control Procedures", which is a report of the Planning Department to the Planning Advisory Committee, and we need not repeat what is described in that public document. Council is fully involved in the planning process, and this is as it should be given that land use plans and controls constitute one of the major instruments which can be used by Council to affect the development of the City.

There are aspects of the current process which, in our opinion, require change. These are the inclusion of "lot consolidation" applications on the agenda of Council, the presentation of staff reports on all planning items, and the composition of the Planning Advisory Committee.

In respect to the first matter, Council is required by the City Charter to consider all applications for lot consolidation. This means that consideration must be given to these at both Committee of the Whole Council and Council meetings. Because lot consolidation does not require a change in the policies of Council, we recommend that applications for lot consolidations be processed entirely by staff. The matter is an administrative one and ought to be dealt with at this level.

In respect to all other aspects of land use planning and control, we have found that there is some concern on the part of members of Council, City staff and citizens to the

effect that staff reports to Council do not always reveal the differences of opinion that may exist among staff. Although this concern is not limited to the planning process, it is expressed most often in this regard because the likelihood of disagreement among staff on matters of planning and control is high.

Planning and control are central political issues at the municipal level of government and, accordingly, it is to be expected that staff, as well as members of Council and citizens, will have differing views on what should be decided on such major policy issues. The fact that staff offer professional or expert opinions on these matters in no way diminishes the likelihood of disagreement; indeed it often means that the differing opinions are strongly put and based on sound judgement even where more than one professional or expert opinion is held. In addition, more than one department is often involved in the development of a staff report. This invariably means that different professional perspectives are advanced at the staff level.

The adoption of the procedure for the presentation of reports and recommendations by directors and the City Manager, which we recommended above, should serve to meet this concern.

Another area which, in our opinion, requires change from the present process involves the composition of the

Planning Advisory Committee. At present, this committee is composed of eleven members, six members of Council, including the Mayor, and five citizens at large, one of whom is the Chairman. The majority position of members of Council is required by the Planning Act, although the Act does not require Council to establish such a committee. This committee of Council has purely advisory functions in respect to the Municipal Development Plan, although Council may also refer development proposals to it for its advice.

Although we recognize that to effect a change in the composition of the Committee would require a change in the Planning Act, we recommend that the number of Council members on the Planning Advisory Committee be reduced to two: one Alderman and the Mayor, with the former charged with the liaison responsibility. Planning and control are central processes of Council deliberation and decision-making and all members of Council need to be held fully accountable for decisions in this critical area of City policy. We consider it inappropriate and inefficient to have approximately one-half of the Council involved in a more extensive manner in planning matters than the other half. We recommend that the number of citizens at large on the Planning Advisory Committee be increased to ten, incorporating perhaps some of the community association representatives on the Downtown Committee. This

recommendation will serve to increase the number of citizens involved in advising Council. At the same time, it will enable the Downtown Committee to become a more effective specialized subcommittee of the Planning Advisory Committee.

2. The Budgetary Process

The budgetary process is an equal to the land use planning and control process because it affords Council the opportunity to review its programs and activities on an annual basis and to determine the priorities which should be given to them. The budgetary process, in other words, can be more than the annual approval of the expenditure requests of departments and agencies which then determines the municipal tax rate.

The budgetary process at present consists of two parts: consideration by Council of the capital budget, which takes place during the fall, and the operating budget deliberations which occupy the first three months of the calendar year. Our major concerns focus on the operating budgetary process, especially in light of the current policy of Council to approach capital expenditures on a "pay as you go" basis.

The review of the operating budget by Council takes place primarily in the months of February and March because the City Manager is required to submit his budgetary estimates by the end of January and Council must decide on

its expenditure budget by the end of March. Since Council's budget year is the calendar year this means that Council's budgetary decisions take place after the official budget year has begun. The principal reason for this anomalous state of affairs is that the City staff must wait until January to receive information from the Province respecting the level of grants which the Province will give to municipal governments. This is by no means a fully satisfactory situation but, until the Province is willing to provide to Nova Scotia municipalities the grant information which they require at an earlier date, there is little that the City of Halifax can do to alter the present practice. However, we recommend that the City, in concert with the Union of Nova Scotia Municipalities, make the strongest possible representations to the Province that it provide municipal governments the required information prior to the end of the calendar year in order to remove this anomalous situation.

More important in our judgement is the need for Council to enter the budgetary process at an earlier stage and to be more fully informed of the consequences of its possible decisions. Over the past year Council has initiated a departmental review process. This review process is an appropriate step in the integration of program review and budgetary decision-making. This development should be

extended to provide an even greater and more explicit integration of these two activities. Specifically, it is necessary to separate processes which, on the one hand, are primarily intended to allow departmental officials to inform or brief Council on departmental functions, programs, activities, organizational and personnel matters, relations with the public, and negotiations with other governments, and those which, on the other hand, are intended to allow Council to review and evaluate departmental programs and their budgetary requirements. The former need to be conducted under the general guidance of the City Manager and must be held in private and informal sessions given that personnel matters and intergovernmental negotiations will be considered as part of the subject matter for discussion. These meetings should not be for the purposes of Council decision-making. Council's review and evaluation of departmental programs and their budgetary requirements, however, should be conducted with the Deputy Mayor in the chair because they will constitute public meetings of the Committee of the Whole. They should also result in Council providing general direction to the City Manager and staff as to Council's objectives and priorities, including some clear indication of the expected size of the total expenditure budget.

These two distinct but related processes should

constitute the basis on which the third and final phase of the budgetary process takes place. Accordingly, we recommend that Council adopt a planning, evaluation and budgeting system that consists of three phases: (1) departmental reviews; (2) program evaluations; and (3) budgetary decision-making. The first phase should occur within the first four months after the budget for the current year is set. Under the present system this would be during the April to July period. The second phase should take place during the next four months, that is August to November. The third phase should occur, as it does now, during the months prior to the end of March.

The first phase of departmental reviews should serve to provide both Council and staff with as complete information as necessary and possible on each other's constraints, problems, requirements and expectations. These reviews need to be informal and therefore conducted in private in order to allow for the full range of questions to be pursued in frank discussion, including matters of personnel and intergovernmental negotiations. Because they will be held in private, no decisions can be made by Council. We suggest that the agenda for these meetings include the submission and presentation of departmental or agency reports along the lines of the confidential reports which were prepared for the purposes of our review by all agencies of the City

government, as well as by most intergovernmental agencies.

This exercise is one that constitutes a practical and important first step in program and organizational planning and will assist Council and staff to focus their discussion. It will also serve to prepare for the second phase of what we consider to be an integrated planning, evaluation and budgeting process, namely the program evaluation phase.

The second phase of this process is meant to enable Council to evaluate the existing programs of City departments and agencies, and where appropriate, intergovernmental agencies to which Council allocates funds. During this phase of program evaluation, Council should seek to determine the effectiveness and efficiency of existing programs on the basis of what is accomplished by them and the purposes or requirements which they are intended to serve. The relationships between two or more programs could be examined and staff studies of productivity or alternative approaches could be assessed. Program evaluation involves both political and technical questions and is best conducted in a public forum where elected officials can interact with appointed administrators and with Council's standing committees. The Committee of the Whole Council is thus the appropriate forum for this set of exercises, especially because this phase should result in some indication to the City Manager and staff of Council's objectives and

priorities and its expectation about the total size of the expenditure budget. This result need not be put in the form of a formal statement or directive; rather, it could be simply an understanding between Council and staff in regard to the general areas where some consensus on the part of Council had emerged. In the absence of some mechanism for coordination of Council's plans this is the best that can normally be expected, except perhaps under conditions of extreme restraint.

The third phase, that of budgetary decision-making, is where Council gives final resolution to the estimates submitted by the City Manager. It does so in light of its priorities which are based on its plans and its evaluation of current or proposed programs. Council's priorities, plans and evaluations, of course, are those of thirteen members of Council, the Mayor included. As is now the case, approval by Council for its budget does not imply other than majority support. However, as a result of the first two phases of this process, Council's budgetary decision-making should be better informed than has been the case up to now.

In line with our above recommendations, which seek to integrate Council's planning, evaluating and budgeting activities, we recommend that Council's estimates be prepared to indicate the budgetary requirements for the coming year and projections for the following two years.

While we recognize the tentative nature of these projections, it is essential to Council planning that staff be required to inform Council of expected requirements for more than the coming or current year.

These recommendations concerning the budgetary process are designed to improve the existing practices of Council and staff. Over the past several years Council and staff have implemented a practical system of program budgeting that is adapted to the particular circumstances of the City government. Our recommendations seek to build on these developments for the reasons that are outlined above rather than to overhaul the existing system in radical ways according to the most recent fad in financial management systems. There are no magical solutions or techniques to planning and budgeting, precisely because they are at the centre of what is essentially political decision-making. Our recommendations, accordingly, simply serve to provide a closer relationship between different aspects of planning, evaluating and budgeting.

3. The Auditing Process

The planning, evaluating and budgeting process which we have recommended will enable members of Council to engage in closer scrutiny and assessment of existing policies and expenditure programs. In addition to the regular statements of revenue and expenditure prepared for Council by the

Department of Finance, there is a separate process for the auditing of past expenditures and financial controls. In this regard we have determined that some confusion is evident in perceptions about the respective roles of the Internal Auditor and the External Auditor and their relationships to Council.

The role of the Internal Auditor is discussed more fully in Part IV of our report. The role of the External Auditor is to express an opinion on the financial statements of the City. The annual report of the External Auditor is to Council and therefore is a public document.

In order to ensure that Council makes the most effective use of the External Audit function, we recommend that an Audit Committee be established as a standing committee of Council to be composed of the Mayor and four Aldermen. As far as is possible, at least one or two of the Aldermen appointed to the Audit Committee should be selected on the basis of their experience with accounting and financial matters.

As a standing committee of Council, the Audit Committee will constitute an exception to our general recommendations concerning the composition of standing committees. This exception is necessary because the duties of the committee will require it to discuss the External Auditor's opinions on the administrative performance of senior City officials

and, in our opinion, these private discussions should not involve citizens-at-large. The Audit Committee will be required to meet with the External Auditor, the City Manager, the Director of Finance and the Internal Auditor. In order to be efficient in its work this committee should be composed of no more than five members of Council.

Over the past decade audit committees have played an increasingly important role in the area of financial reporting and financial control in public and private organizations. Such committees have served to strengthen the objectivity of both the auditors and management since both have access to and can be more effectively held accountable to the governing body, in this case City Council.

The terms of reference and scope of work of audit committees vary from one organization to another. However, there are fairly well established norms which may be followed in determining the role of Council's Audit Committee. We recommend that the terms of reference of the Audit Committee include at least the following:

- . to review the content of all sections of the annual financial report for presentation to Council;
- . to review the arrangements for and the scope of the external audit;
- . to review the adequacy of the internal control systems;

- . to review the observations and recommendations of the external auditor and management's response to them;
- . to assess the effectiveness of the audit and nominate the external auditors for appointment by Council; and
- . to review the reasonableness of the audit fee.

The Audit Committee would normally meet at least two or three times during the year. At meetings of the committee, the City Manager, the Director of Finance and the Internal Auditor should be required to be in attendance, as noted above, except when matters related to their performance are being considered.

4. The Tendering Process

The fourth process of Council government that requires some change from present practice is the "tendering process" which involves decisions on the expenditure of funds for contracts and the purchases of goods and services. At present the City Charter limits the purchasing power of the City Manager to those items which have been approved in budgets and which cost \$7,500 or less. All other spending authority must come from Council. Another section of the Charter appears to require Council's approval for any expenditure over \$1,000. As a result of these restrictions on his authority and that of those to whom he is empowered to delegate authority, the City Manager must forward an endless stream of tenders and purchase requisitions to

Council. The existing stipulations have helped to create the present process by which Council is burdened by administrative matters.

The City Manager and staff have forwarded to us drafts of proposed changes to the Charter and to Administrative Orders. A number of these bear directly on the tendering process as it affects Council decision-making and serve as a basis for our recommendations. We do not consider these in all their specific detail but rather as they relate to the general principles which ought to govern the tendering process.

The major proposal is to revise the Administrative Order of Council which governs the tendering process. The proposal provides that tenders must be called for in the case of (1) all contracts, (2) purchases of goods and services in excess of \$50,000 (indexed to the National Consumer Price Index), and (3) any purchases of less than \$50,000 at the discretion of the Purchasing Manager or as directed by the City Manager. As a matter of practice, tenders would be awarded to the lowest bidder by the City Manager or his delegate. Council would be required to decide on awards only in the following circumstances: (1) there is a tie bid; (2) staff recommends other than the lowest bid; (3) only one bid is received; (4) Council directs referral to itself; (5) staff note unusual

circumstances concerning the bids; or (6) when there are insufficient funds in the budget to cover the expenditure. This set of proposals is consistent with the principles of the Council-Manager system in respect to the distribution of policy and administrative authority and in line with sound principles of financial management and accountability. It will also serve to reduce the volume of administrative matters which now require Council approval. We recommend, accordingly, that Council revise its Administrative Orders which govern the tendering process in line with the above approach.

5. Labour-Management Relations

The fifth process that requires some change concerns labour-management relations. Under the relevant provision of the City Charter, the City Manager has the power to act as the City's agent for the purposes of collective bargaining with unionized employees. He also has the power to delegate this authority. Moreover, in recent years and especially after the appointment of a Director of Labour Relations in 1971, the City has developed a collective bargaining and labour relations process which now takes place largely at the administrative level. Collective agreements, of course, must be agreed to by Council, and this agreement is governed by Council's policies and guidelines in respect to the operating budget as well as

wage rates, employee benefits, working conditions and labour-management consultation.

The development of labour-management relations over the past decade has not always been an easy one. The particular styles of different Mayors, Aldermen, City Managers and union leaders have accounted for a number of problems in the adjustment from a process which once had a significant measure of Council-Union contact to the present process which tries to reduce this contact to the minimum required for Council approval of collective agreements.

In Part IV the administrative aspects of labour-management relations are discussed. Here, we simply note that Council's reduced role in labour-management relations conforms to generally accepted principles of public administration and sound labour-management relations practices. However, it is important that Council be well informed of the concerns of its unionized employees because collective agreements now encompass a broad range of matters. In order that Council be well informed, we recommend that Council meet in information sessions with the City Manager, senior administrative officials, and representatives of the various City unions. These meetings should occur at least twice a year and be an informal forum where general matters affecting labour-management relations can be discussed. These meetings should not be for the

purpose of decision-making by Council, and they should not be held during periods of collective bargaining. Rather, they would serve the same purpose as the departmental reviews which are the first phase of the recommended budgetary process, that is to ensure that Council is sufficiently well informed in order to plan and decide on matters of City policy.

6. Selection of the City Manager

The staffing process in the Council-Manager system of Halifax involves a number of authorities. Council appoints the City Manager. Council also appoints directors of departments, including the Fire and Police Chiefs, but on the recommendation of the City Manager. The City Manager has the authority to appoint all other members of staff, except for staff of the Fire Department and Police Force. The most important of the above decisions is clearly the appointment of a City Manager. It is one of the most critical decisions which the Council is empowered to make.

The position of City Manager is crucial within the Council-Manager system precisely because the City Manager must function as the chief administrative officer of a government organization in which there is no executive body separate from the legislative branch. This means that the City Manager must function in relation to Council almost always in public. His advice to Council is advice that is

public. There is no Minister or Cabinet to shield him from public view, as is the case in parliamentary government. Nor is there a Minister or Cabinet to take political responsibility for what he recommends. The City Manager must serve as the principal link between the Council and staff insofar as administrative staff advice to Council is concerned because all departmental directors are responsible and accountable to him for the performance of their duties.

On the other hand, the City Manager has considerable powers both to carry out his responsibilities for the administration of the affairs of the City in accordance with Council's policies and to make recommendations to Council on a comprehensive range of matters, including all proposed ordinances and administrative orders. Although there are certain legislative limits on his administrative powers, the City Charter and existing practice combine to make the position of City Manager crucial to the entire operation of City government in Halifax.

Although the selection of a City Manager occurs only when there is a vacancy in the position, the process whereby Council appoints a City Manager is of such major significance that we suggest that Council adopt a set of procedures for this purpose. Accordingly, we recommend that, when such a selection is required, Council appoint a search committee as a special committee of Council, composed

of the Mayor and three Aldermen. This search committee should use consultants only as staff assistants in the search and screening process. Unless he is a candidate for the position, the committee should also employ the Director of Personnel in a staff capacity on procedures and data collection. Furthermore, the search committee should seek out applications and nominations and not rely solely on responses to advertisements for the position.

This special search committee of Council is required in order to ensure that elected officials are fully involved in the entire process and, at the same time, the number of those so involved does not foreclose the possibility of an efficient and confidential management of this process during what needs to be relatively intense activity over a short period of time. The Whole Council, of course, retains the power to veto recommendations from this special committee of Council.

7. Stipends and Honoraria

The process for determining the stipends to be paid the Mayor, Deputy Mayor and Aldermen, and the honoraria to be given appointees to boards involves the appointment of a Stipends Committee composed entirely of citizens at large, recommendations from this committee on both stipends and honoraria, and a decision by Council in response to these recommendations. The current practice is to have this

process occur in an election year but prior to Council elections.

We recommend that this process be maintained but that the committee be appointed in time to begin its work during the first month of an election year and that it make its recommendation on stipends and honoraria by the end of March. In respect to honoraria paid to citizens at large appointed by Council to various bodies, we recommend that appointees to boards not be given honoraria except where special circumstances, such as the time or management responsibility involved, make it appropriate. In any such instances, we recommend that honoraria be paid only with the approval of Council and that expenditures be from the general government budget of the City and not from that of the individual agency.

In respect to stipends for members of Council, it is clear that these elected officials have a conflict of interest in dealing with this matter. It is partly for this reason that the decision is made during an election year. With this timing of the decision, members determine the stipend of members of the next Council, which may or may not include themselves. While this timing minimizes the personal conflict of interest, however, it can introduce an unintended and not always desirable consequence. If the stipend recommended by the Stipends Committee becomes a

political issue, members of Council, and especially those who intend to re-offer, may be inclined to vote for a lesser increase than that recommended and in so doing provide an inadequate level of remuneration for elective offices. This, in turn, may become a deterrent to quality candidates for elective offices, given the time, effort and responsibilities required of elected officials.

In our view, every effort should be made to guard against these unintended consequences. Accordingly, we strongly recommend that Council adopt the practice which now exists at the federal and provincial levels whereby the recommendations of stipend committees are accepted as a matter of course, except in the most unusual circumstances.

8. Election Finances

Civic elections constitute a central and crucial element of municipal government in Halifax and we conclude this section of our report by noting that the financing of municipal elections, including elections to the Halifax Board of School Commissioners, needs to be brought into line with the reforms which have been adopted at the federal and provincial levels of government. Specifically, we recommend that the City seek to have provincial legislation to enable contributions to civic election campaigns to be income tax deductible. Second, we recommend that there be public disclosure of sources of individual contributions of more

than \$50.00. Third, we recommend that a scheme of public contribution towards a candidate's expenses be established similar to the provincial subsidy arrangement.

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PART III. BOARDS AND COMMISSIONS

Boards and commissions constitute an important part of City government in Halifax and have done so for many decades. Following the adoption of the Council-Manager system over three decades ago, the City continued to use boards and commissions (referred to simply as "boards" except when reference is made to particular agencies) and their number has increased since that time.

This form of organization has been used for a number of reasons. On the one hand, there are a number of "intergovernmental boards" which involve the City and other governments, mainly provincial and municipal. In these cases a collective or joint authority is established and the board structure is clearly required. These boards need to be distinguished from those which are established by the City to carry out functions which are solely within the jurisdiction of City Council.

The second type of board includes all City boards, which are established either through provincial statute or City ordinance. By design, these boards operate with a certain measure of independence from Council or the administrative branch of City government. They do so by virtue of a delegation of authority to direct or manage

particular functions of City government. The reasons which justify the establishment of such boards are essentially twofold: (1) to obtain, through citizen participation in City government, external perspectives or expertise that are not available or not available in sufficient depth within City government; and (2) to restrict political interference in the direction or management of certain public services. When these conditions obtain there are advantages to the use of the board form of organization compared to the departmental form of organization.

The use of boards to direct or manage public services, or to perform regulatory functions, involves potential disadvantages or costs in terms of policy accountability and overall administrative efficiency. The disadvantages or costs associated with the operation of boards have led in recent years to major efforts at all three levels of government in Canada to ensure that this form of government organization is used only when justified and, when used, that adequate controls be instituted to secure public accountability for the exercise of delegated authority. The controls which are most relevant to our review of City boards involve the power of appointment to boards, the approval of board policies, the approval of board budgets, and requirements for regular review of the policies and programs of boards. The use of some or all of these control

mechanisms is required to minimize the potential costs of the use of boards while at the same time preserving the relative autonomy and flexibility for which boards are established.

In the City of Halifax there is no set of general policies in respect to these mechanisms of control and accountability. In regard to the most basic mechanism, that of appointments to boards, there are several different arrangements, especially in respect to the policy and practice of appointing the Mayor and Aldermen. What is expected of both the members of Council and citizen-at-large appointees is often not sufficiently clear in so far as their accountability to Council is concerned. The relationships of some of the boards to the administrative branch of City government, and in particular to the City Manager, are either not clear or may not be appropriate. The powers of Council in respect to the policies of boards are often far from precise. Finally, the justification for the maintenance of certain boards is less than compelling.

A. A Framework for Control and Accountability

Control and accountability are central concerns in the use of boards within the Council-Manager system for two reasons. First, Council must possess adequate control over boards to which it delegates authority because, as the elected officials of City government, the members of Council

are accountable to the citizens of Halifax. Second, Council must possess adequate control over boards in order to coordinate and plan its policies and expenditures across the total system of City government.

In order for the City to establish a framework for control and accountability a number of policies and practices need to be adopted and consistently applied. We present our recommendations for these policies and practices under four headings: (1) appointments; (2) policy; (3) budgetary process; and (4) review.

1. Appointments

We recommend that Council's appointees to all City and intergovernmental boards be charged with the responsibility for ensuring that boards decide on matters of policy and budgets only after careful consideration is given to City plans, finances and policies. Accordingly, they should have the duty to consult, when appropriate, with relevant City authorities. Members of Council who serve on boards, moreover, should be expected to represent Council in respect to the expressed policies or plans of Council, and to report to Council on matters which relate to Council's policies and plans. In cases where such policies and plans are not explicit, appointees should exercise discretion as to what is in the City's best interests. With these understandings, Council should be able to evaluate the performance of its

appointees and to hold them accountable.

In order to secure broad citizen participation on boards, we further recommend that citizen-at-large appointees serve no more than two consecutive terms, or six consecutive years, on any one board. A transitional period would be required at the outset, however, in order to avoid the situation where all citizen appointees on a board are replaced at one time.

We also recommend that there be a more open process for the nomination and appointment of citizens to serve on boards. To this end we recommend that the process and criteria outlined for the nomination and appointment of members of standing and special committees be used for the selection of citizens-at-large to serve on the boards to which Council makes appointments.

We recommend further that, in addition to the Mayor or Deputy Mayor, no more than one other member of Council serve on any one board. This Alderman would be the chief liaison person between the board and Council, serving the reporting function noted above.

2. Policy

Where Council delegates authority to boards it does not hand over all control over policy. In some instances, as with the reorganized Board of Police Commissioners, for example, Council retains the power to establish City policy.

In other instances Council may need to exercise little if any direct control over the policies of a board, as may be the case with the Halifax Civic Hospital Board. Where Council does not appoint at least a majority of the members, it can hardly dictate what policy should be. In all case, however, we recommend that Council establish its policies only after consultation with or on receipt of recommendations from a board. Not only can direct policy intervention undermine the relative autonomy which is desired of boards, but experience in other jurisdictions has demonstrated that such a blunt instrument of control is usually not effective in the long run.

3. Budgetary Process

For many boards, the most effective mechanism for Council's control and accountability, aside perhaps from its appointment power, is through the annual budgetary process. As a matter of principle and policy we recommend that Council approve the budgetary support which it provides to boards in accordance with the accepted practices of "program budgeting". Except where provincial law requires otherwise, all budgetary submissions to Council should be in the form of specific program requirements and Council's allocations for the same should be understood as expenditures for the programs so supported.

4. Review

No board of a government should operate in complete isolation from the authority which established it. As a basic requirement we recommend that at least annual reports be submitted to Council by all boards. Equally important, we recommend that Council review, on at least an annual basis, each board. These reviews should constitute part of the recommended planning, evaluating and budgeting process but the forms of these reviews should not be limited to budgetary submissions. In addition, we recommend that at least once in every six years each board be subject to a thorough evaluation in respect to its objectives, functions, and organizational status as a board. This "sunset" provision should serve to ensure that an unnecessary proliferation of boards be curtailed and that boards do not outlive the original reasons for their creation.

B. Review and Recommendations

In this section of our review of boards we assess the status of each of the non-departmental agencies in respect to their relationships to Council and to the administrative branch of City government. Our purpose here is not to provide a performance evaluation or efficiency audit of each of these agencies but rather to determine the most appropriate organizational arrangements for the functions which are undertaken by them within the Council-Manager

system of City government.

In part II of our report we distinguished among three different kinds of Council committees: committee of the whole; standing committees; and, special committees. The latter two kinds of committees, we noted, are and can be used to involve citizens-at-large in an advisory capacity to Council in order to obtain both general public participation and external expert input to City government. We refer to this matter again because we regard standing committees especially as the ideal form of organization to provide for ongoing citizen input and interaction with Council. We prefer this form of organization for advisory functions over separate advisory boards because of the close and continual links it provides. In the review to follow, accordingly, we recommend that a number of boards be reorganized into standing committees of Council. In this form, we recommend that some standing committees be advisory to Council for specific functional areas of City government services and thus relate to both Council and relevant departments.

On the other hand, we recommend that certain boards be retained more or less in their present form. These boards, including the reorganized Board of Police Commissioners, constitute in our view an effective form of organization for their specific functions, performing as they do management activities which are best continued with some separation

from the departmental system.

There are a number of intergovernmental boards which are either required by provincial statute or are in effect provincial agencies in which the City participates. These boards need to be retained but we do have some recommendations in respect to the City's participation in and approach to them.

There are also regional or intermunicipal agencies in which the City is a party. Our recommendations here call for a major restructuring of what we regard as unsatisfactory arrangements for regional government.

In summary, and apart from standing or special committees of Council and the reorganization of regional agencies, we suggest that only two types of boards be used. First, there are "City boards" which are primarily or exclusively under the jurisdiction of the City and which have been delegated powers to manage or administer specific functions on behalf of the City. Second, there are "Intergovernmental boards" in which the City possesses only limited policy control, appoints only a minority of the members or provides less than half of the expenditures.

1. Visitors and Conventions Bureau.

The primary purpose of this City agency is to promote tourism as an industry. Accordingly, it is directed by a Committee (that is, a board) appointed by Council which

includes citizens-at-large in the majority and members of Council in the minority. Among the former are citizens from the tourist industry.

Although it is clear that the City does have an interest in tourist promotion and is well served by those from the industry who bring to the Bureau their expertise in tourism, it is not certain that the present structure is the most effective or appropriate. On the one hand, there is need for a greater degree of industry financial support for tourist promotion, given the benefits to this industrial sector. On the other hand, the promotion of the tourist industry is but one element in the marketing of the City as part of development planning and promotion. In our view these two aspects of tourist promotion are not in conflict. The pursuit of both the private and public interests can occur simultaneously and efficiently if the proper structures are put in place.

A recent report submitted to Council by the Bureau has recommended that the Bureau be reconstituted as a non-profit organization, under the Province's Societies Act, in order to direct and manage the Bureau's activities. According to this report, this would promote increased revenue from the private tourist industrial sector, provide for the direct involvement of the industry in the direction of the Bureau, and, at the same time, enable the City to restrict the

growth of its financial support for tourism promotion. The report does suggest, however, that the City continue to support the Bureau, at a level equivalent to the 1982 budget for at least three years, and be given three of the sixteen positions on the board of the new Bureau. Council, on recommendation of the City Manager, has accepted the report in principle.

If this new organization is created the Bureau will cease to function as a City board. Although we support this "privatization", we do recommend that Council's financial contributions to this organization be governed in accordance with the principles of program budgeting in order to ensure that it uses these public monies in line with Council's policies and plans. Second, we recommend that the Mayor or Deputy Mayor and one Alderman serve as two of the three Council representatives on the new board and that the third member be a citizen-at-large appointed by Council, as opposed to the recommendation of the Bureau that all three positions be occupied by Aldermen. Our recommendation is in line with our general rule in respect to the role of the Mayor and the responsibilities of the Alderman who represent Council on such bodies. It also will enable Council to appoint a citizen-at-large who is interested in and knowledgeable of the role of tourism in the overall industrial and economic development of the City. Third, we

recommend that the City maintain some measure of staff expertise in the area of the development and planning of the tourist industry and tourist and convention promotion. This is necessary to ensure that overall planning by the City does not proceed without liaison with and evaluation of the Bureau and its activities, the new Trade Centre Limited and Metro Centre, and as well the tourist industry itself. Given that the tourist industry is a critical industry for Halifax, it is important that the City not divest itself of all capacity to assess what is required in this field of local development.

2. Industrial Commission

The Industrial Commission, composed of two members of Council and eight citizens-at-large appointed by Council, is a promotional, advisory and management agency. To date the Commission has focussed its attention on its first two functions. Unlike the Visitors and Conventions Bureau, it has not developed a full-scale staff of its own but has relied instead on the departmental staff of the City or consultants. It is noted, however, that it was recently given budgetary approval to set up its own staff.

Our principal concerns with the Industrial Commission focus on the critical need for regional cooperation in regard to industrial promotion and the equally critical need to avoid the separation of this promotional agency from the

planning and development staff of the City. The Report of the Task Force on Offshore Activities, presented to Council last year, strongly recommended that the City of Halifax "take whatever steps are necessary" to encourage "extensive cooperation amongst the municipalities of the Halifax-Dartmouth Metropolitan area" in order to prepare for offshore development and to ensure that the maximum benefits come to this region. We endorse this recommendation and extend it to the area of industrial development generally. In our view the matter of industrial development and promotion should be considered a priority item for cooperation and coordination through a metropolitan authority reorganized according to the principles we suggest later in this part of our report.

If the suggested regional initiatives are not undertaken in the very near future, then in our view Council should take action to ensure that the City avoid the expansion of another separate board with management functions and independent operations. The major advantage of the present Industrial Commission, namely the involvement of external industrial and commercial expertise, can be secured just as effectively through the mechanism of a standing committee of Council. We recommend that the Industrial Commission be reorganized as a standing committee of Council, a committee to advise both Council and the

Department of Planning and Development, which we propose in the next part of our report. Staff for this committee would be provided by the Department. Once again we note the importance of the integration and rationalization of all promotional and economic development activities to ensure the greatest possible degree of effectiveness and efficiency.

3. Halifax-Dartmouth Port Commission

The Port Commission is an intergovernmental body composed of the Mayors of Halifax and Dartmouth and fourteen other members appointed by the two City Councils, with the Halifax Council selecting all but two. In addition to the Mayor, two Aldermen from Halifax are members of the board.

The role of this Commission is to promote the growth and development of the Port facilities of Halifax Harbour. Halifax contributes seven-eighths and Dartmouth one-eighth of the finances required from the two municipalities for the operation of the Commission and its staff.

As is the case with the Visitors and Conventions Bureau there are citizens-at-large appointed from the port and port-related industrial sector. This fact, in addition to its intergovernmental composition, accounts for the separate management structure to direct the promotional and marketing activities of this agency.

Two recent committees, the Halifax City Task Force on

Offshore Activities and the Province's Halifax-Dartmouth Port Committee, have commented on the obvious fragmentation and duplication of efforts which currently prevail in port development and promotion. Indeed, in addition to the agencies of other levels of government, the City is involved in two promotional bodies, namely the Commission and Halicon which is twenty percent owned by the City. The above two named committees called for increased coordination; the latter went so far as to recommend the creation of a Port of Halifax Authority as a provincial agency to assume the functions of the several port promotional bodies now in place, including the Halifax-Dartmouth Port Commission.

We concur with the recommendations of the Halifax-Dartmouth Port Committee and welcome the decision of the provincial government to act on them.

4. Taxi Commission

The Taxi Commission, composed of two members of Council and five citizens-at-large (at least two of whom must be licensed taxi drivers and two taxi business owners), serves in an advisory capacity to Council, except that it has the power to hear appeals taken by persons whose licenses have been revoked. The Commission does not have its own staff but is served by City department officials.

We recommend that this Commission be reconstituted as a standing committee of Council with its existing advisory

roles, except that we recommend that its mandate be expanded to hear complaints from the public concerning taxi services in the City and that, on the other hand, its power to decide on appeals be reduced to a power to hear and recommend to Council on the disposition of appeals. These recommendations should serve to make clear that Council has and should have final authority in respect to the taxi industry and its regulation. Industry representatives would continue to be part of an organization to advise Council but with the advisory role of this body brought within the general category of standing committees of Council.

5. Forum Commission

This Commission, consisting of the Mayor, four Aldermen and five citizens-at-large appointed by Council, is essentially a facility management agency providing for the operation of the Forum and Civic arenas as well as the Devonshire Rink. Its budget is subject to Council approval and in recent years it has required no subsidy from the City.

The management of this Commission works closely with the City Manager and departmental staff. In this sense there already exists a good degree of administrative coordination and cooperation. The need for a separate board to direct the management of these facilities, however, is not obvious. The expertise brought to this Commission

through citizen involvement can be secured through appointments to the Recreation Committee in so far as athletics and public entertainment are concerned. We recommend, accordingly, that the Forum Commission be dissolved, that its advisory functions be transferred to the Recreation Committee, and that the Forum Manager and staff be reconstituted as a facility management division within the Department of Community Services, as recommended in the next part of our report.

6. Directors of Point Pleasant Park

The "Directors of Point Pleasant Park" constitute a board of management for the Park, including its use, its canteens, and bathing facilities. Established by provincial statute, this board is empowered to make rules and regulations concerning the Park, which is leased by the Crown as a service to the City, which in turn provides for the operating expenditures.

The "Directors", or board, consists of four permanent Directors, the Mayor, one Alderman, and three "taxpayers of the City" appointed by Council. The Act incorporating the board stipulates that vacancies among the permanent Directors are to be appointed by the Directors themselves.

The actual administration of the Park is conducted with the close cooperation of City Departments. Moreover, the Directors and staff of the Park have over the years

established and maintained a facility that is a source of enjoyment and pride to citizens. However, a separate management board is no longer necessary now that the policy-making and administrative structures of the Council-Manager system are well established. We recommend, accordingly, that the City seek to have the Crown lease transferred from the Directors to the City proper, that a new standing committee for Parks and Gardens be established to advise Council and the City Administration in respect to all City parks and gardens. This proposal will not only provide the desired citizen involvement; it will extend it to other parks and gardens which at present are not managed with formal citizen involvement.

7. Public Service Commission

The Public Service Commission, composed of the Mayor, one Alderman and three citizens-at-large appointed by Council, manages Halifax's water utility as a body corporate established by provincial statute which specifies that the City "shall be deemed to stand in the same position with respect to the property and assets of the Commission as if the Commission were a Joint Stock Company, incorporated under the Companies Act, and the City were the owner of all the shares therein."*

*Public Service Commission Act, Section 7.

As a utility the Commission is regulated by the provincial Board of Commissioners of Public Utilities and in respect to a number of other activities by other provincial government authorities, in particular the Departments of Environment and Health.

Aside from its power of appointments to the Board of the Commission, Council exercises little official or real authority over the operations of the Commission. The management of the Commission is independent of Council, the City Manager and City departments, although some consultation does take place and the Commission does submit an annual report to Council. Most important, of course, the Commission generates its own revenues through charges for its services and is not dependent upon the City for annual operating or capital costs.

Two questions need to be addressed in assessing the present arrangements for the direction and management of this particular City service. The first concerns the need for a board structure; the second the administrative costs of a separate non-departmental agency.

The establishment of a board structure to provide policy direction and supervision of the City's water utility took place in 1944 at a time when the City had an entirely different Council and administrative system from what it has today with the Council-Manager system. A separate board to

provide direction and supervision was an improvement at the time it was established, and the development of the Public Service Commission's services is due in part to the creation and operation of this structure. However, it is also clear that the system of Council policy-making and administration has changed significantly since the 1940s.

The City now has the managerial structure and capacity to direct and supervise the City's water utility. There are no valid reasons to justify the exclusion of the services from Council's authority or from administrative policies in the management of the utility, any more than there would be for the management of social services or sewer services. Moreover, the separation of the Commission from Council serves to limit the public accountability of Council for the policies and direction of the City's water utility.

Our second consideration concerns the administrative costs of a separate agency to manage the City's water utility. We are concerned with the costs which are required to maintain an administrative system (personnel, equipment, and processes) that is separate from and in addition to the administrative system of the City. Although the Commission is not a small agency, neither its size nor the particular circumstances of its operations require the duplication of the City's administrative system. Indeed, the elimination of this very duplication offers the opportunity for the City

to effect efficiencies in its overall administrative costs, including the opportunity for Halifax to ensure that it has the critical mass of expertise in those areas where expertise is hard to recruit and retain. The dispersal of staff in certain areas, such as personnel administration, labour relations and computer systems, represents inefficient allocations of valuable resources.

For all of the above reasons we conclude that the need for a board structure to direct and manage the City's water utility as an agency separate from the City's policy and administrative system no longer obtains, however much it might have been necessary in earlier years. At the same time, however, we recognize the increasing need to consider the question of a regional water utility operation for the metropolitan area. This is a matter which we later recommend be considered a priority item on the agenda of a reorganized Metropolitan Authority if our proposed regional structure is realized. If such a reorganized regional structure does not appear to be imminent, we recommend that the management of the Commission be assumed by the Department of Works as a division of this department with, of course, the property, assets and commitments of the Commission reverting to the City. The services supplied under contract to Bedford-Sackville and the Lakeside Industrial Park in the County need not be affected by this

reorganization.

8. Recreation Committee

Although the Recreation Committee, composed of two Aldermen and seven citizens-at-large appointed by Council, is an advisory committee of Council, it also employs the Director of the Recreation Department on the recommendations of the City Manager, and on matters of recreation policy and programs the Director reports to the Committee. In one sense, then, this Committee functions as a management board of Council.

Although this Committee does serve to provide citizen participation in the field of recreation services, the present structure does not promote administrative coordination. The Director has "two masters": one for policy and programs - the Committee, and one for administrative matters - the City Manager, with both "masters" being advisors to Council.

We recommend that this anomalous state of affairs be corrected by reclassifying the Recreation Committee as a standing committee of Council thus removing its management powers. The Recreation Committee would continue to provide Council with advice on matters of recreation policy and programs. This approach, in our opinion, will be effective in securing the desired citizen participation in this area of City services.

9. Halifax Non-Profit Housing Society

This Society, composed of four members of Council and three citizens-at-large appointed by Council, is an instrument whereby the City is able to renovate and market existing housing stock in designated areas of the City and to facilitate projects by private non-profit groups without subsidy from the City. The Society has been able to take advantage of programs and funds made available through the Canada Mortgage and Housing Corporation to assist moderate to low income families in the field of housing.

We recommend no change in the status of this Society; it is a useful organizational mechanism for Council to achieve its objectives in this area of City policy. We do recommend, however, that Council reduce the number of members of Council appointed to this board since major policy decisions must in any case be referred to Council for approval. This would increase the number of citizens who could serve the City on a board which has as one of its major functions the encouragement of citizen initiatives in non-profit or cooperative ventures.

10. Halifax Housing Authority

The Halifax Housing Authority is a board consisting of nine citizens-at-large appointed by Council but with the prior approval of the Province and the Canada Mortgage and Housing Corporation (CMHC). The principal function of this

board is to manage City housing projects, particularly those arising from agreements between the City, the Province and CMHC, to provide subsidized housing to low income families and senior citizens.

Although the authority by which this management board is established allows for a minority membership of Aldermen, there is an agreement between Council and the Authority that the board should consist entirely of citizens-at-large. The rationale for this is that the management functions of the board, especially in respect to applications for accomodation, are best conducted at an arms-length relationship to Council in order to restrict, and to be seen to restrict, political intervention. The City, moreover, provides a minority of the operating subsidy required (12.5%) and none of the capital costs. In addition, both the Province and CMHC are involved in personnel development and training and the latter has the greater say in the determination of site selection for housing projects given its share of capital costs (75%).

The City's share of the operating subsidy is approved by Council, but Council has little discretion on this item given that it constitutes, in effect, part of a shared-cost program in which the City is a minor partner.

For the above reasons we consider the present structural arrangement to be an appropriate one and we

recommend no change to it. We should note, however, that this board does not conform to the principle that the Mayor and one Alderman be appointed to each board, with the latter having a reporting responsibility to Council. We consider this to be an acceptable exception to our general rule, given both the need for an arms-length relationship between the board and Council and the shared-cost character of Council's budgetary commitment to the Authority. For purposes of classification, in any case, we consider this board to be an intergovernmental board.

11. Board of Health

This board, composed of three members of Council (all Aldermen) and two citizens-at-large appointed by Council, is established under the Public Health Act and the City Charter. Under this legislation, the board is responsible for the regulation and enforcement of public health matters in the City. Staff to the board are provincial officials from the Atlantic Health Unit, whose Director serves as Executive Officer of the Board. There is no financial cost to the City for the operations of this board. Council, however, does have the power to establish public health regulations on matters within its jurisdiction on the advice of this Board and with control over appointments to it there is sufficient control and accountability in this structural arrangement.

We recommend that this Board be retained as a management board but that its composition be altered to reduce the number of members of Council to the Mayor or Deputy Mayor and one Alderman, and to increase the number of citizens-at-large to three.

12. Civic Hospital Board

The Civic Hospital Board, composed of eight members, including seven members appointed by Council (of whom four are presently members of Council) and one by the Province, has as its responsibility the supervision and management of the Civic Hospital. Although the City has a financial responsibility for the Hospital under the City Charter, no budgetary commitments are required under the present provincial financial regime.

This form of organization is clearly the appropriate arrangement for the supervision and management of this institution, and we simply recommend that the number of members of Council on the board be reduced to two: the Mayor or Deputy Mayor and one Alderman. The increased citizen involvement in this field is to be desired.

13. Board of School Commissioners

This Board, established under provincial statutes and the City Charter, is an intergovernmental board with the Province having the major control. At the same time,

however, the City's budgetary commitment to the School Board's expenditures is by far the largest program component of the City's annual budget.

Of the twelve person Board, only one-third are appointed by Council. At present, these four positions are filled by members of Council. The other eight positions are filled by way of four provincial government appointees and four directly elected members.

Although there are a number of complex issues which pertain to the relationship of the School Board to City government, three issues are of paramount importance in terms of our concerns. These relate to the role of Council's appointees on the Board, the Board's use of the "discretionary" funds made available by Council (that is, above and beyond what it is required to provide by provincial legislation), and review by Council of the policies and practices of the Board.

At present, Council appoints four members to the School Board and there now exists the practice of appointing only Aldermen to these four positions. In recognition of the status of the Board as an intergovernmental board and therefore the "minority" position of the City Council's representatives on this Board, we confine our comments to what we must assume will continue to be a limited role for the City in matters of School Board policy and practice.

However, we consider it essential that Council's appointees on this Board function as representatives of Council, and we recommend, therefore, that Council's appointees consider it their responsibility to ensure that Council's policy in respect to detailed area plans be given thorough consideration by the Board in its determination of school location and reorganization. It is Council's responsibility to coordinate planning for the City, and these plans should be considered a primary determinant in the school plans of the Board. Council's appointees on the Board, accordingly, should serve as the principal instrument by which the Board is made aware of this need for the integration of the City's and the Board's planning. This recommendation requires, of course, that there be close consultation, when necessary, between Council's appointees on the one hand and Council and its planners on the other. Council's appointees, we should emphasize, are not to be considered simply the "agents" of Council with no right to exercise discretion, but they should consider themselves (and Council should so consider them) to have a responsibility to act in the best interests of the City, fully informed of Council's policy.

Second, while we recognize that the Province provides the larger share of the Board's operating budget and also requires the City to contribute a certain share, we recommend that all funds provided by the City beyond its

required commitment to the Provincial Minimum Core Program be recognized by the Board and Council as "discretionary" funds which are provided by the City for specific programs. The approval of the City's budgetary commitment for the Board would be composed, to the extent that is possible, of two parts; required and discretionary. The latter commitment, accordingly, would constitute Council's approval and financial support for specific programs, and funding would be conditional on the provision of the programs. This policy is one which we consider to be essential to Board-Council relations for reasons that should be obvious, namely the fiscal responsibility and accountability of Council for the expenditures which it approves beyond those required by provincial law and policy. Although Council has the right to provide grants to the Board or any other agency for unspecified purposes, we do not consider this to be an appropriate practice to follow in regard to the School Board given the considerable size of the commitments which are involved.

The third issue is one that is equally central to Board-Council relationships in so far as it involves the way in which Council reviews the policy and practices of the Board. Notwithstanding the fact that the School Board is primarily an intergovernmental board, it is obvious that the significant financial commitment of Council demands that

Council pay close attention to Board policy and practice. In addition to the consultation and interaction between the Board and the City at the staff level, we recommend that there be regular reporting to Council by Council's representatives on the Board and that this representational responsibility be clearly focused by having only one Alderman as well as the Mayor or Deputy Mayor appointed to the Board, in line with our general rule as outlined previously.

14. Halifax Regional Library Board

The Library Board, established under the Provincial Libraries Act, is an intergovernmental board, with the Province, in the person of the Minister of Education, having authority over the Board, notwithstanding the fact that the Council appoints the majority of members (seven of nine) and provides approximately seventy percent of the operating budget and must meet all capital requirements. The Province must approve the appointment of the Chief Librarian for the Library and the Libraries Act requires Council to provide the Board the expenditures which it requests, although the Province does costshare the funds required.

In actual practice, the Board determines its own policies under its powers to manage and operate its library services. However, there are extensive consultations and cooperation with Council and City staff on program planning,

financial and administrative matters, and Council on occasion has reduced the proposed budget of the Board. It should be noted as well that both the Board and Council have expressed grave concern with the inadequate level and proportion of current provincial funding.

In a number of important respects the Library Board is similar to the School Board and therefore our recommendations focus on the same set of matters, namely the composition and role of Council's appointees on the Board, the Board's use of funds provided by Council, and review by Council of the policies and practices of the Board.

As we outlined in our discussion of the role of Council's appointees to the School Board, we recommend that Council's appointees to the Library Board consider it their responsibility to ensure that Council's policies and plans be given thorough consideration in the formulation of the Board's policies and plans where the former are relevant and appropriate. What constitutes relevance and appropriateness is a matter for Council's appointees on the Board to decide according to their best judgment, of course, but their exercise of this discretion is the basis for their accountability to Council and they should be held accountable by Council for the same.

Our second recommendation is that Council request an amendment to the Libraries Act to ensure that provisions for

budgetary approval by Council correspond to the budget structure of the School Board; that is, that Council be required to provide a certain level of support but beyond that level all additional funds be deemed to be "discretionary" and provided for specific programs or levels thereof. Council should not be required by law to provide all its funds by way of an unconditional grant any more than it should be required to meet whatever request is submitted to them in respect to the operating budget. If Council and staff are to exercise their fiscal responsibilities properly, then the principles of program budgeting need to be adhered to.

Third, we recommend that the existing close cooperation and consultation between Council and the Library Board and its staff be further promoted by having the Mayor or Deputy Mayor become a full member of the Board and by having the one other member of Council, an Alderman, be Council's principal representative for the purpose of reporting to Council on matters which require the attention of Council, including annual reports and budgetary submissions.

15. Halifax-Dartmouth Bridge Commission

The Bridge Commission is an intergovernmental board which owns and operates two bridges and their immediate approach roads. Its operation is defined by statute as a public utility and it is thereby regulated as such by the

Board of Commissioners of Public Utilities, although subject as well to provincial directives and approval. The Commission is essentially a provincial agency with the Province appointing five of the nine members, including the Chairman and the Secretary, and underwriting the deficit of the operation. The City of Halifax appoints two members to the Commission, the City of Dartmouth and the County of Halifax one each. At present the Mayor and one Alderman serve as Council's two appointees.

As this is essentially a provincial agency, with some municipal input afforded the three municipalities, including Halifax, we see no need to recommend any change to the present arrangement.

16. Metro Centre-Trade Centre Limited

Following the recent agreement between the Province and the City concerning the establishment of the Trade Centre Limited, the Metro Centre Commission was dissolved and the new board of the Trade Centre Limited is to direct the operations of the Metro Centre facility on behalf of the City. The new board is intergovernmental with five directors appointed by the Province and four by Council. The financial accounting system of the new board will provide for a separate account for the Metro Centre, because the City will remain responsible for any operating deficits of this part of the new Trade Centre complex and all profits

from the same will accrue to the City.

Our single recommendation to Council in respect to its participation in this new board is that Council appoint as two of its four appointees the Mayor or Deputy Mayor and one Alderman. The reporting responsibility of the Alderman so appointed is clearly an important one, given that Council has entered into an agreement whereby it retains financial responsibility for the Metro Centre but no longer has authority over the operations of the Centre.

17. Regional Intergovernmental Agencies

In addition to the intergovernmental agencies which we have reviewed to this point, all of which are provincial-municipal with the exception of the Port Commission, there are several regional or intermunicipal agencies in which the City is a party. These agencies have been established as ad hoc alternatives to either a single metropolitan municipal government for the the metropolitan urban area or a two-tiered system with a regional government in addition to the existing municipal governments.

In a limited sense it can be argued that the Metropolitan Authority of Halifax, Dartmouth and the County of Halifax constitutes a "second-tier" of municipal government for the region (which now includes the Town of Bedford). Both in form and practice, however, this Authority and the other intermunicipal agencies - the

Courthouse Commission, Metro Transit and the Metropolitan Area Planning Commission - comprise a confusing hodgepodge of structures which are organized with scant regard to the basic principles of democratic control and accountability or to the needs of the metropolitan region for efficient and effective public services on a regional basis. Born of minimum political compromise, they involve the worst of all possible regional structures: a lack of coordination, a diffusion of authority and responsibility, and a process that leads to delay or inaction on virtually all important regional issues.

The present system of regional agencies is not one that can be improved by retaining the arrangement whereby there are several regional boards. It is deficient in that intergovernmental decision-making in the several bodies now in place does not recognize the fundamental principle of representation by population, fiscal responsibility and accountability are undermined by the authority assigned to the members of the several bodies, and policy planning and administrative coordination are reduced in their effectiveness by the separation of power between the several bodies. In addition, there is an absence of leadership and of a capacity to respond to regional needs and opportunities because the present arrangements serve primarily as mechanisms of intergovernmental negotiations and not

regional governing.

Since the City of Halifax is only one party to the present arrangements in the metropolitan region and the Province must be involved in any major reorganization of municipal government for the region, we confine our recommendations in respect to all these intermunicipal agencies to a set of principles and a few suggestions. City Council cannot act alone on these matters but it is crucial that its participation in discussions on the future governing of the region be guided by firm Council positions.

The most important principle which we recommend that Council adopt as central to its position is that of representation by population. With only a few exceptions, this principle has governed the establishment of metropolitan or regional structures elsewhere in Canada. This principle is the most basic of our principles of democratic government, standing in sharp contrast to traditional considerations such as wealth or property, including the wealth of communities as well as individual citizens. Moreover, experience demonstrates clearly that its adoption is a necessary condition to the appreciation by elected officials and citizens of the need to give precedence to regional concerns over intermunicipal conflict. Moreover, only a body which is established according to this principle is likely to ensure that

regional departments or agencies are fully accountable to elected officials at the regional level.

We also recommend that Council support the principle of an independent chairman for the major regional or metropolitan authority, selected by the members of the authority. This will serve to emphasize the regional character of the authority. In order to make clear that the Chairman, who should have full voting powers, is an official separate from the municipal Councils which appoint the members of the authority, we recommend that in the event the Chairman is selected from among the members or from any of the respective Councils he must resign his position from the same. The Chairman must be and be seen to be independent from the municipal Council of which he may have been a member.

Furthermore, we suggest that Council seek to have the Province undertake to define the fiscal powers of this regional authority in order to establish its position in respect to the municipal governments and citizens of the region. We also suggest that the Province accept the responsibility of reviewing and determining on a regular basis, every three years for example, what functions should be assigned to this regional authority. Police, water and sewer services as well as port and industrial promotion should be considered priority items for the first such

review. Furthermore, we suggest that, except in the case of police or provincial-municipal joint undertakings such as the proposed port authority, all regional functions be directed by the regional authority in the form of departments and not by separate boards.

PART IV. THE ADMINISTRATIVE STRUCTURE

As noted in Part I, the Council-Manager system is based on the assumption that a useful distinction can be made between the responsibilities of Council for City policy and the responsibilities of the City Manager and administrative staff for the administration of Council policies. This assumption has led to the establishment of an administrative structure in which the position of the City Manager, as chief administrative officer of the City, is crucial to the effective operation of City government, on the one hand, and to the accountability of administrative staff to Council, on the other.

In Part II, we have reviewed and reported on the accountability of administrative staff, including the City Manager, to Council. In this part of our report, we review and report on the effectiveness of the present administrative structure of City government. Our principal concerns here relate to the authority and responsibilities of the City Manager within the Council-Manager system, the distribution and integration of authority and responsibility at the senior level of management, and the functional relationships between and among City departments and boards.

A. The Position of the City Manager

The role of a City Manager within the Council-Manager system is a challenge to the professional public servant, as we have noted, precisely because the City Manager is the chief administrative officer of a government which does not have a political executive separate from the legislative branch of government. The City Manager must advise Council and be responsible and accountable to Council for his administrative duties in an open and public forum. Unlike chief administrative officers in the parliamentary system of government, he has neither a collective Cabinet nor an individual Minister to advise in private or to accept responsibility for the administration of public affairs. The City Manager, in short, must function at the interface between Council and administrative staff in a process that is open to public scrutiny quite unlike that found at other levels of government.

In recognition of the crucial role performed by the City Manager in the Council-Manager system, the City Charter gives the City Manager considerable "powers". Chief among these powers are the authority and responsibility:

- . to coordinate and direct the preparation of plans and programs for submission to Council in respect to City property;
- . to prepare the annual budget submission to Council;

- . to review and recommend in respect to the drafts of all ordinances and administrative orders;
- . to attend all meetings of Council, its committees and agencies and to make observations and suggestions at them;
- . to require his written recommendations and suggestions be recorded;
- . to appoint, promote, demote, suspend or dismiss all employees except departmental directors;
- . to recommend to Council the appointment and dismissal of departmental directors and to suspend any departmental director subject to Council approval;
- . to act as the bargaining agent of the City;
- . to purchase equipment and supplies and to enter into contracts under a specified limit;
- . to recommend to Council all expenditures or contracts over a certain limit;
- . to dispose of City property with a value under a certain limit;
- . to supervise contracts;
- . to execute leases for tenants of real property owned by the City;
- . to obtain information from all boards and commissions on matters which affect the interests of the City;
- . to have control over all financial matters pertaining

to the Police Force and Fire Department, whose day-to-day business affairs are to be administered by their respective Chiefs; and,

- . to delegate powers to departmental directors or other administrative staff.

In line with the above powers, all departmental directors, except the Police and Fire Chiefs, are "directly responsible and accountable to the City Manager for the performance of their duties", and are "to submit reports and recommendations required of them to and through the City Manager." The position of the Director of the Recreation Department, as we noted in Part III, is not entirely in conformity with the general provisions of the Charter in so far as matters of appointment and reporting are concerned.

The authority and responsibility of the City Manager to advise Council, on the one hand, and to administer and coordinate the affairs of the City, on the other, have been limited by the continued existence of boards which are largely separate from the administrative branch of City government, by the reporting relationships of the Police Chief, the Fire Chief and the Director of Recreation; and by the restraints on his financial powers.

In Part III of our report, our recommendations serve to reduce the number of boards which would operate with a degree of independence from the authority of the City

Manager. If these recommendations are adopted, this major limitation on the authority of the City Manager will be removed in large measure. In addition, however, we also recommend that any statutes for City or intergovernmental boards which do not permit the City Manager to delegate to staff officials his powers to attend and participate at meetings of boards (City Charter, Section 160) be amended to allow for this delegation.

In our Special Report on Police Matters we recommended, and Council has adopted, the principle of greater coordination between the Police Department and the administrative services of the City departments.

In respect to the reporting relationship of the Chief of the Fire Department, which at present is to the Safety Committee of Council, we recommend that the Fire Chief report to and through the City Manager. This will serve to end a special relationship between the Fire Chief and his Department and City Council, a relationship which is required neither by special legal responsibilities on the part of the Fire Chief nor by the particular functions of his department.

During our review of the Fire Department, it was suggested to us that a board of fire commissioners, similar to the Board of Police Commissioners, be established. In our opinion, the special reasons which justify a separate

management board in respect to police matters do not apply in the case of the fire department. In the provision of fire prevention and protection services, the Fire Chief and staff of his department are not subject to potential conflicts in their obligations to City policy on the one hand and provincial or federal laws on the other, as could be the case with the Police Chief and his police staff.

In Part III we recommended that the current anomalous situation whereby the Director of Recreation reports to and through the Recreation Committee on matters of policy be abolished.

In Part II of our report, we recommended that the tendering process give the City Manager, and those under his authority, greater authority to administer tenders for goods, services and contracts which are let by virtue of the submission of bids. Here we suggest that the City Charter be amended in respect to the power of the City Manager to expend monies for goods and services. Our suggestion is based on drafts of proposed changes to the City Charter and Administrative Orders forwarded to us by the City Manager and staff. The proposal is to establish a Contingency Fund that would enable the City Manager to commit expenditures from an established fund approved annually by Council with the requirement that the City Manager report all such expenditures on an annual basis. Since this will serve to

reduce the volume of administrative details which appear on Council's agenda and, at the same time, provide both the required administrative efficiency as well as accountability on the part of the City Manager to Council, we recommend that Council adopt this proposal as a principle of normal administrative practice.

Our recommendations here and in previous parts of our report are designed to ensure that the authority and responsibilities of the City Manager are not only consistent with the principles of the Council-Manager system but also conducive to administrative coordination and delegation of authority within this system. They serve, in short, to improve and strengthen the effective operation of the Council-Manager system.

B. Central Management Structures

The City Charter contains provisions for the appointment and duties for the City Manager, City Clerk, City Solicitor, City Treasurer and, in general terms, other departmental directors. The actual central management structures of the City have developed as a result of City policies for the establishment of all other departments and the practices of successive City Managers in respect to the relationship between and among himself and departmental directors.

As in all complex organizations, formal organization

charts do not tell the whole story in so far as the actual distribution of authority and responsibility is concerned.

There now exist within the City's central administrative structure twelve major departments. These are illustrated by the City's present "City of Halifax Organizational Chart". These include, on the one hand, the "staff" or administrative support departments of the City Clerk, the Solicitor, Finance (which assumes the functions of the City Treasurer), Employee Relations (and Personnel), and Internal Audit, and, on the other hand, the "line" or operating departments of Planning (included in this category because of its functions in relation to land use planning), Development, Works, Social Planning, Recreation, Fire, and Police. The last three, as we have noted, are presently included within the central administrative structures only in respect to certain matters of administration, because of the reporting relationships of their directors (or chiefs) in respect to the City Manager.

Over the past several years, this central administrative structure, under the general direction of successive City Managers, has evolved to the point where there is now a "management committee" to advise the City Manager on matters of policy development and administrative coordination. This committee is composed of the City Manager and all departmental directors with the exception of

the City Clerk, the Internal Auditor, the Director of Recreation and the Fire and Police Chiefs. The last three have not been included because of their special reporting relationships. The Internal Auditor has been excluded because of the nature of his functions, as is the norm in all public and private organizations. The City Clerk has been excluded, it appears, because the Clerk is viewed primarily as an officer of Council and not as a senior administrative officer.

This central administrative structure does not include significant staff support for the City Manager in regard to overall strategic planning or administrative coordination, except in so far as such support is provided by the collective management group as represented by the directors of the several "staff" departments. The City Manager for instance, does not have a "deputy manager" responsible for policy planning in respect to his duties as advisor to Council for policy development, notwithstanding the onerous demands which are placed on the City Manager in the performance of these policy advisory duties. Nor does the City Manager have a "deputy manager" responsible for the coordination of policy implementation and administration, notwithstanding the complexities of the services and regulations now performed by City departments.

In our view, the present arrangements of the central

administrative structure require some change in order to achieve both a more effective role for the City Manager in the performance of his policy advisory functions and better coordination of policy implementation and administration. The present arrangements place an unreasonable burden on the City Manager that affords him neither the time required to develop policy recommendations for Council nor to coordinate policy implementation or administration. Moreover, these requirements are not adequately met, in our opinion, by the current operations of his management committee, even though this committee does provide valuable assistance to him.

What is required, in our view, is a change in the central administrative structure that recognizes the need, on the one hand, for the City Manager to devote more of his time to policy planning for policy advice to Council and, on the other hand, for the City Manager to delegate more of his responsibilities for the coordination of policy implementation and administration to senior officials within the City government. These two objectives can best be accomplished, we suggest, through a reorganization of the line or operating departments of the City's administrative branch.

In reaching this conclusion, we have assessed recent administrative reforms in both public and private organizations. Specifically, we have rejected, on the basis

of this comparative evidence, the options which would suggest either increased authority for staff departments over line departments or the insertion of another level of authority between the City Manager and staff and line departments, such as creation of "deputy city managers" for staff or line departments or both.

Staff departments should assist the City Manager in the performance of his general policy advisory and administrative coordination duties, but they are neither qualified nor sufficiently well positioned to direct the operations of line departments. On the other hand, the insertion of deputy city managers between the City Manager and departmental directors would add the costs of another level of administration. It would also constitute an obstacle to the effective lateral communications which must occur within a complex organization that needs to function as an integrated system, given that its services and regulations are directed to one community of citizens.

We suggest, therefore, that the present number of City departments be reduced to enable the City Manager to delegate more authority and responsibility to senior officials for administrative coordination in order that he be free to spend more time on policy planning and development for Council. We recommend, accordingly, that the Department of Social Planning and the Recreation

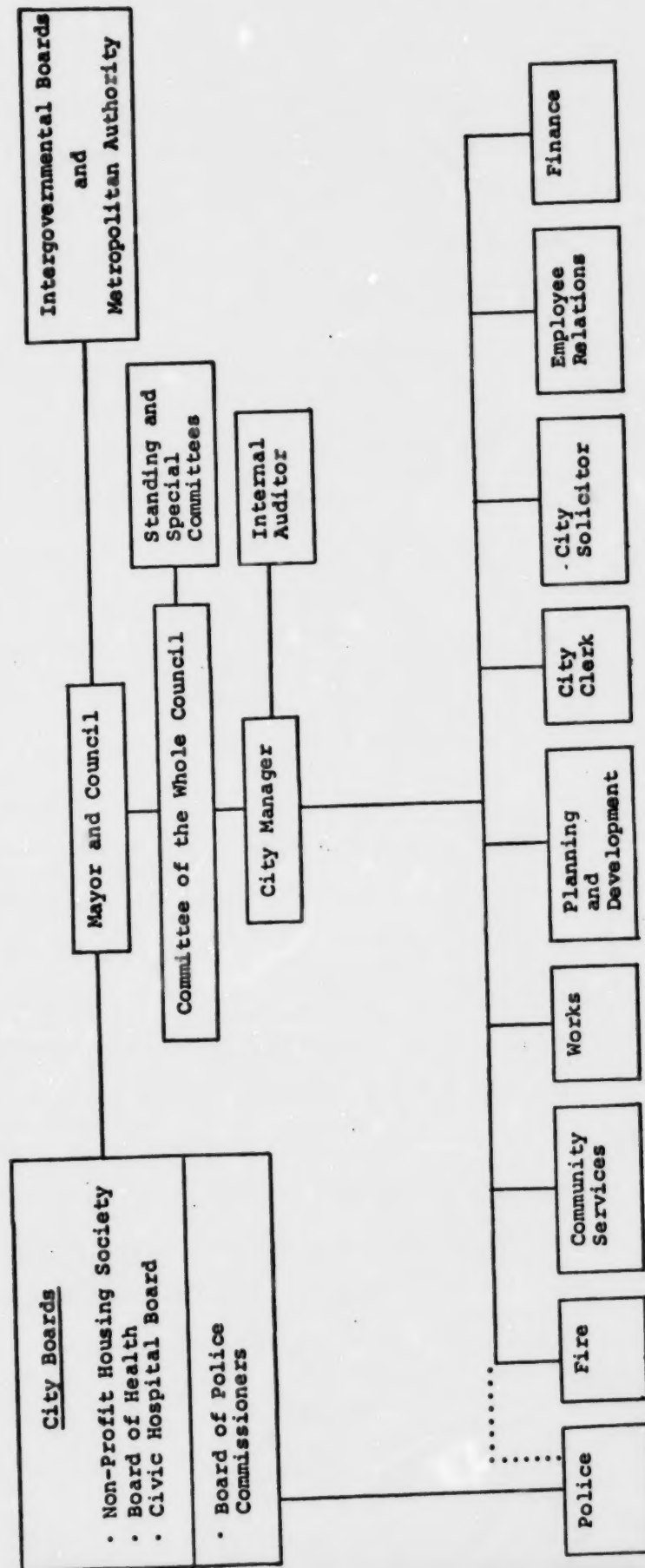
Department be integrated into a new Community Services Department and that the Planning Department and the Development Department be integrated into a new Planning and Development Department.

These proposed changes are illustrated in Figure II, "Proposed City of Halifax Organization Chart".

The consolidation of these four departments into two departments will make possible an efficient delegation by the City Manager of his authority for administrative coordination to the directors of these two departments and, as well, to the director of the Works Department. This delegation of authority should serve to locate responsibility for administrative coordination at the level where it can be achieved in the most effective manner, namely at the level of operating departments. It should also, in our opinion, facilitate the orderly preparation of the operating budget of the City by enabling priorities to be set and choices to be made, to an increased degree, within single departments as well as among departments. In addition, lateral communications, which now assume a large part of middle to senior officials' time, will also occur, to an increased degree, within single departments.

Our recommendations, furthermore, will make practical the inclusion of all appropriate senior administrative officials within the City Manager's management committee.

Figure II
PROPOSED CITY OF HALIFAX ORGANIZATIONAL CHART



The Internal Auditor should remain outside this central management structure because of his special functions in relation to all other departments. The Fire Chief, under our proposals, would now be included. The Police Chief, because of his special reporting relationship to the Board of Police Commissioners, would remain outside this structure, except of course when requested to attend by the City Manager. We suggest that the City Clerk be included, and function as secretary to this committee. The involvement of the City Clerk is desirable, given the enhanced responsibilities for information services which we recommend be assigned to this City official.

The actual operations of the City Manager's management committee are of course the responsibility of the City Manager. Different City Managers may make use of this committee in various ways depending upon their individual management styles. We do not suggest, therefore, the precise manner in which this central management team under the direction of the City Manager should function. Nevertheless, we do recommend that the City Manager use his management committee in order to ensure that he will have more time to devote to the coordination of overall strategic planning in the City. This will enable him to give the required attention to the development of policy advice to Council, and, in particular, to provide the administrative

direction required by the integrated Council process for planning, evaluating and budgeting that we recommend in Part II.

C. Departmental Organization and Functions

In the preceding two sections of this part of our report, we have outlined our major recommendations in regard to both departmental reporting relationships and the overall structure of City departments. In this third section we review and report on the organization and functions of each department as we recommend they be constituted.

1. Administrative Departments

a. Director of Finance and Finance Department

In the descriptive material provided to our Commission, the service nature of the Finance Department's role was emphasized. It was suggested that this was in contrast to an earlier perception of the department as being primarily concerned with "control".

This emphasis on its service function has resulted in the department developing considerable expertise in providing advice and consultancy to other departments in matters such as economic analysis, financial forecasting, budget preparation, the development of sophisticated data processing capability, and advice on organizational methods. These advisory services are in addition to the more

traditional services of accounting, payroll, accounts payable, tax and other collections, purchasing, stores, printing, internal office communications, and the administration of the City's various pension plans. The Finance Department also provides the City Manager with the resources to exercise his responsibilities for the financial affairs of the police department and for boards and commissions not directly part of the City's administration.

We recommend that the present service responsibilities of the Finance Department remain unchanged, with the possible exception of the operation of City stores. A recent consultants' report has suggested that City stores be consolidated. Should this report be implemented, we suggest that the stores function might more properly be placed under the Works Department.

In the area of billing and collection of taxes, the Finance Department is required to maintain the capability to deal with the seasonal peaks occurring when bills are issued. At other times of the year, the resources of this section of the Finance Department may be under-utilized. Discussions have already taken place with respect to transferring the collection of parking-ticket fines to the Finance Department from the Police Department. We strongly support this initiative. Likewise, we recommend that the function of billing and collection currently being carried

out by the Public Service Commission be integrated into a single division for the handling of all City receivables, under the Finance Department.

b. Employee Relations Department

The Employee Relations Department has been undergoing a major restructuring during the past decade. At the present time, it consists of three principal divisions:

- (1) Labour Relations, with responsibility for labour relations programs and for employee safety programs;
- (2) Personnel and Training, with responsibility for (i) training and development, (ii) administrative assistants, and (iii) personnel administration and recruitment; and
- (3) Health Services, with some responsibility for community health programs, but primarily related to occupational health programs for City employees.

The reorganization strategy of the Employee Relations department has been directed towards becoming the central City agency for personnel functions for every aspect and branch of the City' organization.

There are obvious advantages to having uniform personnel practices within City government. A central personnel office is able to employ specialists in the areas of recruitment, selection, training, compensation levels, labour relations, and occupational health and safety,

thereby ensuring that conditions of employment are relatively uniform for all personnel who have a common employer, and that these conditions bear a fair relationship to practices elsewhere in the community. The Commission therefore supports the basic concept of the central employee relations function. In its operations, however, it should be emphasized that much of the Department's role is that of providing advice to managers at all levels of the organization, while implementation of standard policies and administration of the provisions of collective agreements should be primarily the responsibility of the appropriate department directors, division heads, supervisors or foremen.

We recommend that Council seek to reinforce the authority of the central administration in the development of personnel policies while ensuring that the implementation of such policies remain a largely decentralized responsibility. In evaluations of job performance and in dealing with recommendations for promotion, it is important that there be a process for review external to the employee's department. We recommend that the establishment of this process be the responsibility of the Employee Relations Department.

Within some of the areas of the Employee Relations Department a number of opportunities for improvement of

services have been identified. These are as follows:

(1) Labour Relations

In Part II of our Report, we have discussed the role of Council in the collective bargaining process and have endorsed the concept that labour negotiations should be carried out entirely at the administrative level.

The City Charter specifically empowers the City Manager to "act or appoint a person to act as bargaining agent of the City in the negotiation of contracts between the City and trade unions and employee associations, concerning wages, salaries and working conditions and recommend to the Council agreements with respect to such matters".

The City Manager does not need ratification by City Council for the labour relations officer appointment, emphasizing the arms-length relationship between Council and the process of labour negotiations.

Past City Managers have experienced considerable difficulty in recruiting specialists in this area, and therefore there has been uncertainty in the past which has resulted in some confusion with respect to the status of the City's "bargaining agent". Consequently unions have frequently sought to approach the City Manager, the Mayor or individual members of Council in order to determine where the ultimate decisions are made. In the view of the Commission, it is of prime importance that Council emphasize

to the City unions that Council has no direct role in the bargaining process. Likewise, it is important for the City Manager to fully delegate the powers of his office as bargaining agent to the labour relations officer authorized to speak on behalf of the City, and to ensure that the individual is fully briefed on the overall City policy with regard to wages, benefits and working conditions. Within such a framework the labour relations officer should have wide freedom to negotiate the details necessary to give substance to the City's policy.

In the past year or more the City has experienced a number of highly visible and disruptive confrontations with unions representing its employees. The Commission recommends that the Employee Relations Department strive to develop a strong network of labour-management relations committees with responsibility not only for administration of the collective agreement, but which would serve as forums for the discussion of all matters related to the work environment, for the identification of problems before they become conflicts, and for the development of more open communication channels between management and employees.

The Commission further recommends that the Employee Relations Department develop and provide a City-wide training program in administration of collective agreements and in all other aspects of labour relations for all levels

of management.

In increasing the effectiveness of the City's negotiating teams, the Labour Relations Division needs to improve its access to comparative statistics on wages, benefits and conditions of work settlements in other jurisdictions. This requires a reference library as well as training in the use of statistical data in the costing of wage and benefit proposals under negotiation. We recommend that the Employee Relations Department, in cooperation with agencies such as the Labour Data Branch of Labour Canada and the Research Division of the Nova Scotia Department of Labour and Manpower, develop a reference library for the use of its Labour Relations Officer and others concerned with staff matters.

(2) Training and Development Division

While the Employee Relations Department has a well developed awareness of the importance of human resource development, there are a number of obstacles to coordinated programs of training. The chief is the lack of a clear definition of the Department's authority in relation to training policies. While there is a training and development officer, there is no central budget provision for City-wide training functions. Instead, each department has its own individual budget allocation for training, with little evidence of coordination.

Obviously it is difficult for every manager to be equally aware of the overall availability and appropriateness of training resources and programs that are offered within the Metro area, and spending decisions may not always produce the best value.

Accordingly, we recommend that a consolidated fund for training be established, to be administered by the Training Officer. Within this fund, each department would be provided with a minimum entitlement. This would not remove the availability of training opportunities from any department, but would assure that programs have been subjected to a process of evaluation before approval for participation is made.

(3) Health Services

In the area of occupational health and safety, the Department should offer a City-wide, uniform level of programs for its employees. In this area, the Employee Relations Department should serve the coordinating role, utilizing any existing resources of other departments to ensure that there is no duplication of programs.

c. City Clerk

Under the City Charter, the primary responsibility of the City Clerk is that of an officer of Council, providing for its administrative needs in the recording and

circulation of meeting notices, agendas, minutes, reports, as well as acting as custodian of all official documents pertaining to the City's business. The Clerk has various other statutory functions in relation to the transactions of committees, boards and commissions, including the Assessment Appeal Court, the Board of Health, and the Board of Police Commissioners. The Clerk is also the City's registrar of vital statistics and returning officer in civic elections.

Apart from the statutory requirements of the position, the Clerk is responsible for a range of informational services within the City Administration, including the operation of a central microfilm service. The office also is a central source of reference for a variety of information requests from other City departments and from the general public. In this latter group of responsibilities the Clerk acts as a member of the City's administrative group rather than in the role of an officer of Council.

With extensive influence on the flow of information within the City, the Clerk potentially plays a central role in the City administration. In an organization that relies on the rapid and extensive availability of information to staff, to Council and to the public, we consider that the office of the Clerk should become a principal coordinating mechanism for information flows.

In our study we have been repeatedly impressed by the need for improvement in the availability of information at all levels of the City Government. Specific needs have been identified in the three following areas.

(1) Council Information Needs

On the basis of our review, it emerged that most Aldermen have felt it necessary to develop their own network of information sources. There are variations in the degree to which information appears to be adequately available. In the area of research assistance, only limited resources are available.

The City Clerk's office has many of the necessary facilities and records to develop an enhanced information service for the benefit of aldermen. For this purpose we recommend that the responsibility for developing a system of information gathering, indexing and access be assigned specifically to the office of the City Clerk.

(2) Staff Information Needs

No central index of available reference materials exists within the City administration. It is inevitable that there are both duplication and gaps in the overall data available for the myriad of information needs within the administration. We recommend the maintenance of a central reference library and index of information available

throughout all departments, under the supervision of the City Clerk's office.

(3) Public Information Needs

A common thread running through most of the public briefs received by the Commission was the difficulty experienced in securing information about matters within City Hall. Many of the complaints reflected frustration with not knowing how or where to garner information that citizens felt they were entitled to receive.

To meet the needs of Council, staff and the public, we recommend that the City Clerk's office be specifically assigned responsibility for providing a public information centre. Such a service requires the designation of a staff member as the City's Information Officer, and we recommend that this position be created within the office of the City Clerk.

(4) Minutes and Records of Council

Throughout our study, we have received copies of all Minutes of City Council and of its Committees. In the main, these Minutes have been highly useful to us in following the methods of operation of Council. We have been struck at times, however, by the need to improve the recording of Council decisions. Often, for example, the Minutes may refer to a staff report, and record that Council has adopted

the recommendations of the report, without indicating the substance of the decision. Compounding the difficulty is the absence of a report indexing system that would help in linking background documentation to the Minutes.

It is recommended that the Clerk ensure that Minutes of Council and of Committees be written in such a way that they provide a clear and self-contained record of all decisions of Council.

(5) Internal Information Services

Certain of the administrative services presently provided through the office of the Director of Finance are closely related to the information responsibilities contemplated for the City Clerk's office. It is recommended that functions such as internal mail service, central filing, and records management, be considered for transfer to the office of the Clerk.

d. City Solicitor

The City Solicitor is defined in the City Charter as being an officer of Council. Beyond this responsibility as legal advisor to Council, the Solicitor's office also provides a range of professional legal services to City departments and to various boards and commissions.

Our examination of the role of the office of the City Solicitor suggests that the present relationships are

satisfactory.

Among the long-range tasks that would assist in clarifying City legislation is that of reviewing the City Charter to remove obsolete provisions; consolidation of early enactments into the present Charter, and a more detailed review of the adequacy of each section of the Charter as well of ordinances and administrative orders. We recommend that the City Solicitor undertake the required review of all legislation. The proposal to computerize the City's legislation for easy reference should be encouraged.

A duty of the City Solicitor is the supervision of office of the Clerk of the Magistrate's Courts. There seems little rationale for the City's continued responsibility for a separate City Court, and we recommend that the City continue to press the Province to assume responsibility for the judicial functions presently performed by this body.

In our review of Boards and Commissions, we have noted that a number of these agencies make use of external legal advisors rather than draw on the resources of the City Solicitor's office. We recommend that all agencies entirely supported by City funds be encouraged to utilize the services of the City Solicitor whenever legal advice is required. An obvious exception to this general rule is the case of intergovernmental Boards where the possibility of jurisdictional disputes may place the City Solicitor in a

conflict of interest position as counsel for both sides.

e. Internal Auditor

The office of the Internal Auditor is a service function reporting to the City Manager. The work program is determined by requests received from the City Manager, or from other departmental managers, for a variety of audit tasks. These may include operational auditing, internal controls and compliance with legislative requirements. Of particular significance is the cooperation between the Finance Department and the Internal Auditor in designing computer systems to ensure that considerations of control are adequately built into programming.

Since the Internal Auditor reports to the City Manager and has no direct reporting links to Council, his authority for independent examination is limited to the agencies below the level of the City Manager's office. There have been suggestions that if he were to be made directly responsible to Council or to an audit committee of Council, his ability to monitor City administration at all levels would be enhanced. This would place him in a position similar to that of the Auditor General of Canada, who reports directly to Parliament rather than to the government of the day.

In considering the consequences of changing the reporting status of the Internal Auditor, the Commission has concluded that the mechanism of ensuring that Council

receives an independent opinion on the adequacy of financial control measures should be left with the external auditors. However, as proposed in Part II of our report, Council should establish an Audit Committee with the primary function of meeting regularly with the external auditors to receive reports and discuss opinions related to the control function. Although the Internal Auditor should attend meetings of the Audit Committee of Council, his presence would be not for purposes of reporting to the Committee, but rather to facilitate coordination of the work of the two audit functions.

We are accordingly recommending no change in the role of the Internal Auditor as an instrument of the City Manager's management function. In order to ensure that the Internal Auditor has full access to information on the operations and planning of management, we recommend that the City Manager schedule a regular monthly briefing session with the Internal Auditor.

2. Operations Departments

The proposed restructuring of the operations departments suggests consolidation of existing activities into functional areas, thereby reducing the number of departments having operational responsibility from seven to five. The rationale and the allocation of responsibility to each of the proposed departments is described in the

following sections.

a. Department of Community Services

This Department would be concerned primarily with the delivery of services that relate directly to personal needs of citizens. By way of illustration, typical services to be administered by this department include social services, recreation and housing programs.

The present sections of the City's administration that we recommend be included in this Department are the following:

- (i) The programs and services presently provided by the Social Planning Department.

These include the administration of municipal social assistance; the Community Care Program for the elderly and disabled; the employment and training programs for social assistance recipients; and the development of community-based social service programs. The emphasis of the department on its planning role in the field of social services should be maintained.

- (ii) The programs and services presently delivered by the Recreation Department.

These include the administration and delivery of a wide range of recreational programs including support for voluntary organizations in the field of sport and recreation, leadership training, cultural events, the

planning and development of physical facilities such as playing fields, playgrounds, and swimming pools, and the operation of programs utilizing such facilities.

The concept of a citizen advisory committee to the Recreation Division should be maintained as a means of involving community recreation and sports organizations in the activities of the City. As outlined in Part III, we recommend that this Committee become a standing committee, advisory to Council in all matters related to recreation, but without management responsibilities.

(1) Parks and Playgrounds

In view of the importance of City parks and playgrounds in leisure activities of citizens, we recommend that these facilities be planned and programs designed within the Community Services Department. By operating under the same administrative umbrella as the Recreation Division, opportunity will be created for closer coordination between recreational programs and the facilities that they use. While maintenance will be primarily the responsibility of the Works Department, care should be taken to secure a high degree of coordination between the program administrators and the City's maintenance managers.

(2) Forum Commission

As outlined in Part III, we recommend that the Forum Commission's advisory functions be assumed by the Recreation Committee. We recommend that the management of the Forum be a responsibility within the Community Services Department in order to facilitate coordination of all civic activities in the recreation field. While the program direction and daily maintenance of the Forum should be carried out under the general supervision of the Forum Manager, the resources of the Works Department would be utilized in longer term or major maintenance undertakings.

(3) Liaison with Other Agencies

(a) Metro Centre

The administration of the City-owned Metro Centre has been delegated to the Board of Directors of Trade Centre Limited, a separately incorporated intergovernmental body.

The Recreation Division as well as the Recreation Committee have a strong interest in the operations of the Metro Centre, and we recommend the Community Services Department be given responsibility for the necessary liaison with the management of the Metro Centre complex.

(b) Halifax Non-Profit Housing Society

As outlined in Part III we have recommended no change in the status of this Society. Since its activities include

the improvement of housing stocks and housing assistance for moderate and low income families, its programs are of direct concern to Social Planning interests of the City. Accordingly we recommend that the Community Services Department be given responsibility for establishing and maintaining close liaison with the management of the Society.

(c) Halifax Housing Authority

This agency, which operates in effect as an intergovernmental board, provides services of direct and continuing interest to the City's Social Planning administration. Liaison with this agency should therefore be included in the mandate of the Department of Community Services.

(d) Board of Health

In Part III, we have recommended that the Board of Health be maintained as a management board for the enforcement and regulation of public health matters in the City. These matters are related to the broad responsibility of the Department of Community Services, and it is therefore recommended that responsibility for administrative liaison be lodged with the Community Services Department.

(e) Civic Hospital Board

As set forth in Part III, our recommendation with respect to the Civic Hospital Board follows along the lines of our comments on the Board of Health. We recommend that for purposes of administrative liaison, the Community Services Department be given responsibility for communications with the Civic Hospital.

(f) Halifax Regional Library Board

The Halifax Regional Library Board operates as an intergovernmental agency. Since there are opportunities for interaction in the area of recreational and adult education programs, we recommend that responsibility for the required degree of liaison should be vested in the Community Services Department.

(g) Board of School Commissioners

In matters relating to use of school facilities for recreational and other civic purposes, the Community Services Department should have responsibility for the necessary liaison.

b. Planning and Development Department

To group together all activities that generally are concerned with planning and the implementation of plans for the future development of the City, we recommend the establishment of a new Planning and Development Department.

There has been continuous debate about the relationship of the municipal community planning function to the promotion and control of development. Arguments have been advanced to suggest that planners need to be at arms' length from the development function in order to be acceptably objective; or that planning operates with a longer time horizon and sometimes with different, though not necessarily inconsistent, criteria than do development authorities, while development is more short-term results-oriented. During our study, apprehension has been expressed that there is an inherent conflict between planning and development, and that to place the two functions within a single department would result in domination by either one or the other, to the detriment of the best interests of the City as a whole.

While we accept that there may be tension points between the two functions, we believe that such tensions are not resolvable by isolating the two staff groups from each other. On the contrary, we firmly believe that the planners and those who have responsibility for development need to approach each other to arrive at a better synthesis of divergent viewpoints.

Although the general responsibilities of the proposed Planning and Development Department are straightforward in most respects, there are a number of "grey areas" that need

to be explored by management. While promotion and development control should both be activities within the department there are service functions in the present Department of Development which are related to the administration of City real estate holdings and that may more appropriately be assigned to the Community Services Department or to the Works Department. Likewise, there are engineering functions that may relate to development more strongly than to maintenance. The appropriate assignment of individual sub-units in existing departments involves decisions that are best made after a period of study and discussion by management and personnel of affected divisions.

The following activity areas are recommended for inclusion in the proposed Planning and Development Department.

(1) Planning Department

The present Planning Department describes itself as essentially a consultative agency having broad responsibility for the execution of "projects" required to give substance to the policies set out in the Municipal Development Plan. In addition, the Department responds to Council requests and to requirements of other City agencies concerned with Plan implementation. Such matters may include consideration of development applications and

proposals, zoning issues, as well as financial matters and policy questions related to development.

The Department works closely with the Planning Advisory Committee, providing staff support for meetings of this group and advising the Committee on planning and development policy issues. It also has a direct relationship to the public, in that it has a staff Information Officer whose responsibilities include support for citizen groups in assembling information and formulating public views on the Plan. The Committee also has the mandate in its Administrative Order to meet on its own initiative with public groups.

We recommend that the existing department become a Division within the proposed Planning and Development Department, and that initially the Division maintain essentially the responsibilities and procedures presently in place. Over time, management will need to define the proper role of this Division in relation to the other components of the Department in such a way that the planning process is recognized as a key element in development decisions.

(2) Development Department

The present Development Department includes a range of programs that fall within the general objectives we visualize for the new Department of Planning and Development, while others relate more directly to the

functions of the restructured Departments of Works. Final decisions on these matters should be made by management. The following review of departmental divisions is provided primarily to illustrate what we see as the logical grouping of functions.

The present Department is composed of five divisions as follows:

(a) Real Estate

This Division has responsibility for the supervision and coordination of real estate operations of the City, which includes acquisition, development and disposal of City-owned lands. We recommend that the acquisition and sales responsibility be lodged with the Planning and Development Department. On the other hand, we recommend that functions concerned with the maintenance of civic property be allocated to the Works Department.

(b) Housing Coordinator

The Housing Coordination has a principal responsibility to "assist all persons and developers in the development of all types of housing in the City of Halifax". This prime responsibility appears to fall within the general framework of activities proposed for the Department of Planning and Development. Certain activities, however, relate to programs of housing assistance to low income families, and

staff need to consider these responsibilities in relation to the mandate of the Community Services Department, and in particular the administrative responsibility for the programs of the Halifax Non-Profit Housing Corporation.

(c) Local Planning and Design

The City Architect has responsibility for "the determination of terms of reference in conjunction with appropriate departments, boards and commissions for the design of all city buildings, (including schools) and the coordination and direction of contract supervision and administration." We recommend that this function be in the Planning and Development Department.

(d) Development Control Division

The Development Control Division is the agency principally involved with regulation of development under the Municipal Development Plan. The Division enforces the zoning and subdivision bylaws of the City through its responsibility for the issuance of development permits, variances, and subdivision approvals. The Division also coordinates reports on applications that require specific City Council approval. These include rezonings, amendments and modifications to zoning bylaws, and lot consolidations.

As the City moves towards adoption of specific zoning bylaws to give effect to the overall Municipal Development

Plan, there should be experienced a decrease in the processing of applications for contract zoning. Accordingly, responsibility with respect to development control will become more administrative, relieving Council of the substantial and time-consuming tasks involved in considering pleas for and against specific proposals.

The activities of this division fall within the general objectives outlined for the proposed Planning and Development Department. We have noted the expressed need for the Division to establish closer working relationships with the Planning Department and the Engineering Design and Construction Divisions of the present Engineering and Works Department. We recommend that Development Control be placed within the proposed Planning and Development Department.

(e) Inspection Services Division

The Inspection Services Division is responsible for the enforcement of City ordinances, bylaws and regulations related to construction, occupancy and use of property. Its activities may be viewed as a service function related to other activities of the Planning and Development Department, and we recommend its inclusion in that Department.

(f) Long-term Development Planning

The foregoing discussion has outlined existing service functions which could be assumed by the proposed Planning

and Development Department in the interests of better integration of related services. By itself, such reform would promote better coordination of activities designed to encourage an orderly process of development.

With the opportunities, as well as the potential problems, related to offshore oil and gas exploration and development, the City needs to prepare for the demands that this and other developments may bring. What is required is a capability and a process that will enable the City to arrive more quickly at decisions demanded in periods of restraint as well as in dealing with new opportunities.

Elements needed to handle these challenges are to some extent already in place. The special Task Force on the Offshore has created awareness of what is involved. The Industrial Commission has carried out various promotional programs to make known the facilities and advantages of the City of Halifax. The Trade Centre will be a significant instrument to acquaint potential customers and investors with the opportunities offered by Nova Scotia and the metro area. The Halifax Visitors and Convention Bureau, with the indication of growing participation by the private sector, gives promise of playing an increasingly significant role in building the hospitality industry.

All of these activities need to have more ready access to the City's administrative resources as well as to its

decision makers. On the other hand, the City needs to have a more coherent voice in its communication with external agencies. An overall plan for the City's industrial and commercial development would go a long way toward achieving much needed coordination. These ends could be facilitated at the administrative level by the consolidation of the planning and development functions.

These needs indicate an important part of the mandate that we recommend for the Planning and Development Department. Through the Department there should be developed proposals for how the City should prepare for future development, what emphasis should be given to commercial and institutional development as opposed to the development of industry, how City-owned land should be managed, what type of cooperation with neighboring municipal units would provide for more effective use of collective resources, and what policies with respect to taxation, zoning, and cultural and social amenities are desirable in order to promote the overall interests of the citizens.

(g) Commercial and Industrial Promotion

In Part III of this Report we have recommended that the present Industrial Commission be reconstituted as a standing committee of Council to be advisory to Council and to the Planning and Development Department. We recommend that the required support staff be provided within the Department,

with the mandate to develop promotional materials and programs necessary to make known the opportunities for investment in the City, and to assist new enterprises in locating their facilities within the City.

c. Works Department

To group together City services of an essentially technical or physical nature, we propose a restructured Works Department. Most of the elements of the present Engineering and Public Works will fit into this category, but there are instances where activities may relate more directly to those of other City offices or to either the Planning and Development Department or the Community Services Department. Likewise, there are services presently being provided by other departments or agencies that could be placed more logically within the Works Department. As with other suggested Departmental changes, we urge that the ultimate reallocation of divisions, functions and activities result from internal examination of responsibilities and relationships. The primary considerations to guide this process should be the achievement of optimum coordination and minimum duplication of functions.

The responsibilities of the present Engineering and Works Department include the maintenance and improvement of physical facilities such as streets, sidewalks, sewers, parks and grounds, City equipment and property, as well as

the provision of traffic related services, refuse collection, snow and ice removal, and tree and boulevard maintenance.

While most of these activities should remain responsibilities under the Works Department, several should be placed elsewhere. In the matter of recreational facilities, there is an obvious overlap with the programs operated by the Recreational Division of the proposed Community Services Department. While construction and maintenance may be a Works function, program planning and scheduling of the use of recreational facilities should be the responsibility of the Recreational Division. In a similar manner, substantial activities of the present Engineering Division are directly related to the planning and design functions of the new Planning and Development Department. Management should seek to arrive at a reallocation of responsibilities that will result in retaining within Works the capacity to deal with engineering problems related to construction and maintenance, while resources that are more directly concerned with longer range planning are placed within the Planning and Development Department.

In the case of the water utility services presently provided by the Public Service Commission, we have suggested in Part III of this Report that our first preference would

be to have this function placed under the authority of a reorganized Metropolitan Authority. Should the necessary intergovernmental agreements not be feasible in the short term, we have suggested for the reasons outlined that the Public Service Commission be absorbed into the general City administration. As we have recommended, the appropriate Department to assume overall responsibility for the water utility would obviously be the Works Department.

d. Fire Department

Apart from our recommendations on the new reporting relationship of the Fire Department, we make no recommendations for other structural changes.

e. Police Department

The findings of the Commission with respect to the Police Department are contained in the Special Report on Police Matters. This document is included as Appendix I to this report.

Part V CONCLUSION

Our recommendations for the reorganization of the structures and processes of City government are designed to secure public accountability in City government, to enhance effective leadership and administration and to promote representative and informed citizen participation.

Throughout our review we have been conscious that factors other than structures and processes have a major bearing on City government. These include the personalities of public officials, both elected and appointed, the policy positions adopted by them, the interplay of these officials and citizens, citizen groups and various parties with interests in the policies and regulations of Council. We have not considered these factors directly but we have sought to design our recommendations in light of the realities of our local government and its politics. We believe that our recommendations are both desirable and practical. We recognize, on the other hand, that effective City government requires more than simply good structures and processes, however important these may be.

A central concern and objective which was present throughout our review, and we hope is evident in our report, is the need for Council and its administration to give

greater attention than we believe has been the practice to date, to strategic planning for the orderly development and governing of the City. We have sought, in our recommendations, to put in place the structures and processes which will enable Council, administrative staff, citizen appointees to Council's committees and boards as well as all interested citizens to ensure that City government in Halifax is guided by policies and plans that serve the best interests of all citizens, that make the most efficient use of our limited financial and personnel resources, and that ensure that all the instruments of City government - land use and other regulations, budgetary allocations, tax levels, and public services - are deployed in as coherent and integrated a manner as possible.

We do not suggest that the structures and processes which we have recommended will lead inevitably to an overall City "plan" to be established either for all time or for all circumstances. What we do hope for is a greater recognition, especially on the part of our elected officials who are directly accountable to the citizens of Halifax, of the demands and requirements for greater effectiveness in City government. The City of Halifax, along with other Canadian governments, faces severe constraints and challenging opportunities. The complexities of each cannot be met with success unless close attention and highest

priority are given to the on-going process of strategic planning.

PART VI. SUMMARY OF RECOMMENDATIONS

Part II

- Recommendation 1. That aldermanic representation on standing and special Committees be provided by no more than one Alderman, in addition to the Mayor who may serve on all standing and some special committees.
- Recommendation 2. That the Deputy Mayor act as chairman at meetings of the Committee of the Whole Council.
- Recommendation 3. That the Mayor serve as a full voting member of all boards of the City and, in so far as he is able, on all inter-governmental boards to which Council makes appointments.
- Recommendation 4. That the Mayor have the power to nominate an alderman to be Deputy Mayor for one year, an annually renewable term, and that Council have the power to ratify this nomination but not to make other recommendations.
- Recommendation 5. That in any instance where the Mayor

feels he cannot serve on a particular board or committee, the Deputy Mayor be designated to serve in his place.

Recommendation 6. That the Mayor as Chairman of Council, and the Deputy Mayor as Chairman of the Committee of the Whole Council, have the right and the duty to vote in all circumstances, except in specific instances that would involve a conflict of interest.

Recommendation 7. That in the case of a tie vote, the motion before Council be considered defeated.

Recommendation 8. That the Mayor and the Deputy Mayor attend meetings of the Agenda Committee of staff in order to be briefed on the substance and procedures of matters to be considered by Council and Committee of the Whole Council.

Recommendation 9. That meetings of Council, Committee of the Whole Council, and public hearings be held in the evenings.

Recommendation 10. That documents and access to City facilities be available to citizens at cost in order to promote informed

- citizen involvement in City government.
- Recommendation 11. That the current practice of allowing the addition of new items to the agenda at the beginning of Council meetings be limited to items which receive the approval of no less than two-thirds of the whole Council.
- Recommendation 12. That orientation and educational programs be established for both Council and staff on the operation of the Council-Manager system for the purpose of promoting better understanding of the respective roles of Council and staff.
- Recommendation 13. That any request for information which in the City Manager's judgement would require significant expenditure of staff time or administrative costs be subject to Council approval before the necessary research is undertaken.
- Recommendation 14. That the provision of the City Charter which gives a director of a department the right to have his objections to a recommendation of the City Manager placed before Council be deleted.

- Recommendation 15. That all reports and recommendations of directors on matters for consideration by Council be tabled by the City Manager with his separate recommendations attached to them.
- Recommendation 16. That Council disband the Transportation Committee and the Committee to Review Hiring.
- Recommendation 17. That the separate designations of the several Committees of the Whole Council be discontinued and that the Committee of the Whole Council use the designations (Works, Planning, Safety and Finance and Executive) simply as headings for its agenda.
- Recommendation 18. That the term "Committee" be used in place of the terms "Commission" or "Task Force" whenever the functions to be performed are advisory in nature.
- Recommendation 19. That citizens appointed to any standing committee serve no more than two consecutive terms of three years each on any one committee.
- Recommendation 20. That service on standing and special committees be considered volunteer

service and that no honoraria be paid to citizens appointed to these committees.

Recommendation 21. That the nomination and appointment of citizens to serve on standing committees include the following steps:

- within five days following elections for Council, public advertisements be placed in the daily newspapers inviting nominations to standing committees of Council.
- All nominations made by citizens, citizen organizations or any member of Council or staff to include a brief biographical note on each nominee, and an indication of the nominees willingness to serve.
- From this group the Mayor is to submit appointment recommendations to Council.
- Council, sitting in private session, to make the final selection on the basis of the Mayor's recommendations.
- Council to ratify the list of

persons so selected at the next formal and public meeting of Council.

- Recommendation 22. That the Mayor and Council apply the following criteria in making their selection of citizen appointees to committees: expertise and experience, interest, representation of the demographic and geographic structure of the City, including age, sex, race, ethnicity and place of residence, and integrity and capacity for objectivity.
- Recommendation 23. That applications for lot consolidations be processed entirely by staff as administrative matters.
- Recommendation 24. That the Planning Advisory Committee be composed of one Alderman and the Mayor, and ten citizens representative of a diversity of community interests, with the Alderman member carrying responsibility for liaison with Council.
- Recommendation 25. That the City, in concert with the Union of Nova Scotia Municipalities, make representations urging the Province to provide information on the

level of grants available to municipalities prior to the end of each calendar year.

Recommendation 26. That Council adopt a planning, evaluation and budgeting timetable with three phases: departmental reviews to take place during April to July; program evaluations during August to November; and final budget approval during December to March.

Recommendation 27. That Council establish the City's budgetary requirements for the current year together with projections for the following two years.

Recommendation 28. That an audit Committee be established as a new standing committee of Council, composed of the Mayor and four Aldermen, and that its terms of reference include at least the following:

- to review the content of all sections of the annual financial report for presentation to council,
- to review the arrangements for and the scope of the audit,
- to review the adequacy of the

internal control systems,

- to review the observations and recommendations of the external auditor and management's response to them,
- to assess the effectiveness of the audit and nominate the auditors for appointment by Council, and
- to review the reasonableness of the audit fee.

Recommendation 29. That Council adopt a proposed change to the Charter which would establish and make rules for the use of a City Manager Contingency Fund.

Recommendation 30. That Council revise its Administrative Order which regulates the tendering process in line with the City Manager's proposed revisions of this process.

Recommendation 31. That Council meet in informal information sessions with the City Manager, senior administrative officials and the leaders of the several City unions at least twice a year to become better informed of the concerns of the City's unionized employees.

Recommendation 32. That when required to select candidates to fill the position of City Manager, Council appoint a special search committee of Council, composed of the Mayor and three Aldermen.

Recommendation 33. That the Stipends Committee be appointed in time to begin its work during the first month of an election year and that it make its recommendations on stipends and honoraria by the end of March.

Recommendation 34. That citizen appointees to boards to which Council may make appointments not be paid honoraria except where special circumstances, such as the time or management responsibility involved, make it appropriate.

Recommendation 35. That in cases where honoraria to citizen appointees are deemed appropriate, and approved by Council, expenditures be made from the general budget of the City and not from the budget of the board.

Recommendation 36. That recommendations to Council from the Stipends Committee be accepted as a

matter of course, except in the most unusual circumstances.

Recommendation 37. That the City seek to have provincial legislation passed to enable contributions to civic election campaigns to be income tax deductible.

Recommendation 38. That there be public disclosure of sources of individual contributions to civic campaigns of more than \$50.00.

Recommendation 39. That a scheme of public contribution towards a candidate's expenses in a civic campaign, similar to the present provincial subsidy arrangement, be established.

Part III

Recommendation 40. That Council's appointees to City and intergovernmental boards be charged with the responsibility for ensuring that boards decide on matters of policy and budgets only after careful consideration is given to City plans, finances and policies.

Recommendation 41. That after a transitional period to ensure continuity, citizen-at-large appointees to boards serve no more than

two consecutive three year terms on any one board.

Recommendation 42. That the process and criteria outlined for the nomination and appointment of members of standing and special committees be used for the selection of citizens-at-large to serve on the boards to which Council makes appointments.

Recommendation 43. That in addition to the Mayor or Deputy Mayor, no more than one other Alderman serve on any one board, the Alderman to serve a reporting and liaison function between the board and Council.

Recommendation 44. That Council establish its policies in matters delegated to boards only after consultation with or on receipt of recommendations from such boards.

Recommendation 45. That Council approve the budgetary support which it provides to boards in accordance with the accepted practices of program budgeting.

Recommendation 46. That at least annual reports be submitted to Council by all boards.

Recommendation 47. That Council review each board on at

least an annual basis.

Recommendation 48. That at least once in every six years each City board be subject to a thorough evaluation in respect to its objectives, functions and organizational status as a board.

Recommendation 49. That Council support a reorganized Visitors and Convention Bureau through financial contributions made in accordance with the principles of program budgeting.

Recommendation 50. That the Mayor, or Deputy Mayor, and one Alderman serve as Council representatives on the Board of the reorganized Bureau, and that a further nominee of Council be a citizen-at-large.

Recommendation 51. That the City take vigorous steps to encourage cooperation on a metropolitan basis in the area of industrial promotion and development.

Recommendation 52. That pending the establishment of effective structures for a regional approach to industrial development, the Industrial Commission be reorganized

into a standing committee advisory to Council and to the Department of Planning and Development.

Recommendation 53. That the City endorse the initiative of the Province in establishing the proposed Port of Halifax promotional authority.

Recommendation 54. That the Taxi Commission be reconstituted as a standing committee of Council, that its mandate be expanded to hear complaints from the public concerning taxi services, and that it have the power to hear and recommend to Council on the disposition of appeals.

Recommendation 55. That the Forum Commission be dissolved, and that its advisory functions be transferred to the Recreation Committee.

Recommendation 56. That the City seek to have the Crown's lease to the Directors of Point Pleasant Park transferred to the City proper, and that a new standing Committee for Parks and Gardens be established to advise Council and the City administration in respect to all

City parks and gardens.

Recommendation 57. That water services be organized on a regional basis under a reconstituted Metropolitan Authority.

Recommendation 58. That if a reorganized regional authority does not appear imminent, the Public Service Commission be disbanded and the management and staff of the commission be integrated into the Works Department as a division of this department with assets and commitments of the Commission reverting to the City.

Recommendation 59. That the Recreation Committee be reclassified as a standing Committee of Council, retaining its advisory functions but removing its management powers.

Recommendation 60. That Council reduce the number of members of Council appointed to the Halifax Non-Profit Housing Society to the Mayor and one Alderman and correspondingly increase the number of citizens appointed to this board.

Recommendation 61. That the Board of Health be retained as

a management board but that its composition be altered to reduce the number of members of Council to the Mayor and one Alderman and to increase the number of citizens-at-large to three.

Recommendation 62. That the number of members of Council on the Board of the Civic Hospital be reduced to the Mayor and one Alderman with a corresponding increase in citizen members.

Recommendation 63. That Council's appointees to the School Board consider it their responsibility to ensure that Council's policy in respect to detailed area plans be given thorough consideration by the Board in its determination of school locations and reorganization.

Recommendation 64. That all funds provided by the City beyond its commitment required for the Provincial Minimum Core Program be recognized by the School Board and Council as discretionary funds designated for specific programs.

Recommendation 65. That there be regular reporting by

Council's representatives on the School Board to Council and that this responsibility be clearly focused by having only one Alderman as well as the Mayor or Deputy Mayor appointed to the Board.

Recommendation 66. That Council's appointees to the Library Board consider it their responsibility to ensure that Council's policies and plans be given thorough consideration in the formulation of the Board's policies and plans where these are relevant and appropriate.

Recommendation 67. That Council request an amendment to the Libraries Act to ensure that beyond the budget required to provide a Provincially determined minimum program, additional funds are deemed discretionary and provided for specific programs or levels thereof.

Recommendation 68. That the Mayor or Deputy Mayor become a full member of the Library Board, in addition to one Alderman who would have responsibility for liaison between the Board and Council.

Recommendation 69. That Council appoint the Mayor and one Alderman as two of its four appointees to the board of the Trade Centre Limited.

Recommendation 70. That Council adopt the following principles and approaches to guide it in its future discussions on the governing of the region through a regional authority:

- the principle of representation by population.
- the principle of an independent chairman for the regional body, selected by the members of the authority, with an explicit requirement that a sitting member of any Council resign from such Council in accepting the chairmanship.
- an acceptance that the definition of functions and fiscal powers of the regional authority be undertaken by the Province.
- the principle that all regional functions, other than police, be organized under departments of the

regional authority rather than under
separate boards or commissions.

Part IV

- Recommendation 71. That the Department of Social Planning and the Department of Recreation be integrated into a new Community Services Department.
- Recommendation 72. That the Planning Department and the Development Department be integrated into a new Planning and Development Department.
- Recommendation 73. That the City Manager's Management Committee include the Directors of City Departments and City Officers, with the exception of the Police Chief and the Internal Auditor, and that the City Clerk function as secretary to the Committee.
- Recommendation 74. That the Finance Department be responsible for the collection of all City receivables, including taxes, parking fines, license fees, user charges and water rates.
- Recommendation 75. That Council reinforce the authority of the central administration in the

development of uniform personnel policies to apply throughout departments and agencies supported by City funds.

Recommendation 76. That the Employee Relations Department strive to develop a strong network of labour-management committees throughout the City administration.

Recommendation 77. That the Employee Relations Department develop and provide a City-wide training program in the administration of collective agreements and in all other aspects of labour relations, for all levels of management.

Recommendation 78. That the Employee Relations Department, in cooperation with other government agencies, develop a reference library related to collective bargaining data.

Recommendation 79. That a consolidated fund for training be established, to be administered by the Training Officer within the Employee Relations Department, and that a minimum entitlement be allocated to each department.

Recommendation 80. That the Employee Relations Department

offer a City-wide, uniform level of programs in the area of occupational health and safety.

Recommendation 81. That the City Clerk be assigned responsibility for the development of a system of information gathering, indexing and access to serve the information needs of Aldermen.

Recommendation 82. That the City Clerk maintain a central reference library and index of information available throughout all departments.

Recommendation 83. That the position of City Information Officer be created within the office of the City Clerk with specific responsibility of providing a public information centre to meet the needs of Council, staff and the public.

Recommendation 84. That the City Clerk ensure that minutes of Council and Committees be written to provide a clear and self-contained record of all decisions of Council.

Recommendation 85. That the City Solicitor's office undertake a review of the City Charter and all City ordinances and

administrative orders, with a view to the removal of obsolete provisions, consolidation of amendments, and examination of the general adequacy of such legislation.

Recommendation 86. That the City continue to press the Province to assume responsibility for the operation of the City Court.

Recommendation 87. That agencies entirely supported by City funds be encouraged to utilize the services of the City Solicitor whenever legal advice is required.

Recommendation 88. That the City Manager schedule a monthly briefing session with the Internal Auditor.

Recommendation 89. That the Community Services Department include the programs and services presently provided by the present Social Planning Department and the Recreation Department.

Recommendation 90. That the facilities of the City's parks and playgrounds be planned and the programs for their use designed within the Department of Community Services, and that major construction and

long-term maintenance of parks and playgrounds be the responsibility of the Works Department.

Recommendation 91. That the management of the Halifax Forum be a responsibility within the Community Services Department.

Recommendation 92. That the Community Services Department be given responsibility for maintaining liaison with the management of the Metro Centre.

Recommendation 93. That the Community Services Department be given responsibility for establishing and maintaining close staff liaison with the managements of the Halifax Non-Profit Housing Society, the Halifax Housing Authority, the Board of Health, the Civic Hospital, the Halifax Regional Library and, in relation to the use of school facilities for recreational purposes, with the Board of School Commissioners.

Recommendation 94. That the Planning and Development Department include as a Division the present Planning Department and the principal activities presently carried

on by the Development Department.

Recommendation 95. That the acquisition, development and sales of City real estate be a responsibility within the Planning and Development Department.

Recommendation 96. That functions concerned with the maintenance of City property be allocated as responsibilities of the Works Department

Recommendation 97. That the City Architect function be lodged in the Planning and Development Department.

Recommendation 98. That the Development Control function be lodged within the Planning and Development Department.

Recommendation 99. That the Inspection Services Division be included in the Planning and Development Department.

Recommendation 100. That the Planning and Development Department have included in its mandate matters related to long-term development planning, including preparations for offshore developments, industrial and commercial expansion, tourist industry development, and

industrial promotion.

Recommendation 101. That the proposed Works Department include all City services of an essentially technical or physical nature and, failing early agreement on a metropolitan water utility, that the services presently provided by the Halifax Public Service Commission be lodged within the Works Department.

APPENDIX I
HALIFAX COMMISSION ON CITY GOVERNMENT
SPECIAL REPORT
HALIFAX POLICE FORCE

1. INTRODUCTION

As part of our general examination of the structures and processes of City government, the Halifax Commission on City Government has reviewed the structures and processes which govern the Halifax police force. We have examined the organization of the police force and its relationships to City Council, the Safety Committee of Council, the Halifax Board of Police Commissioners, and the administrative officers and agencies of City government including the City Manager.

At an early stage in our review we decided that the police force and the reorganization of the Halifax Board of Police Commissioners had to be treated as a matter of first priority and urgency. This decision was based on two factors. First, a number of the top police officers are due to retire in the near future and it is imperative that action be taken on any reorganization before replacements are sought for these senior positions. Second, a more effective chain of authority and accountability between the Police Chief and City Council is required and a reorganization of the Board of Police Commissioners is a necessary step to this end.

As a result of these considerations, we have examined the police force and its reporting relationships to Council and other organizations of City government in detail. Members and staff of the Commission gathered specific information from documents provided by the Police Chief, and by the City Clerk, as well as through interviews with the Police Chief, members of the senior staff of the force, members of Council, and senior officials of the City's administrative services. The Commission also received submissions from the Halifax Police Patrolmen's Association and from the Halifax Police Officer's Association. Our review included consideration of the findings and recommendations of Judge Nathan Green in the Report of the Commission to Review the Police Act and Regulations, and of the Dartmouth Police Study carried out by Professor Alan Grant, as well as examinations of the structure and reporting relationships of police departments in other cities of Canada.

The following two sections of our special report set forth, first, our findings and analysis of these findings, and second, the recommendations which flow from them.

II. FINDINGS AND ANALYSIS

The police force occupies a unique position in City government for a number of reasons. First, it must enforce

and administer law enacted by all three levels of government. It is charged with the enforcement of the Criminal Code of Canada within the boundaries of the City: it must enforce applicable provincial laws: and it is the principal instrument for the enforcement of a broad variety of municipal ordinances. Second, there are provincial authorities to which the Police Chief must report. Third, in the enforcement of laws there are bound to be times when some planning and strategic decisions must be undertaken rapidly and decisively, and therefore the Chief should have a management body with whom he can consult in confidence. Finally, as the report of the Ontario Police Commission points out,

The Chief of Police and the other members of the force are sworn members of the Crown, and the Superior Courts have held on numerous occasions that in enforcing the law a Master-Servant relationship between the Governing Authority and the Chief of Police does not exist in this context. The Chief of Police is sworn to uphold and enforce the law; if he fails in this duty he is answerable to the law. (The Ontario Police Commission, Guidelines for Police Governing Authorities, Toronto February 2, 1981, p.9.)

Given these special circumstances, the reporting and management mechanisms which link the police force to City government require both clear lines of authority and accountability and effective management structures.

Under the present arrangements in the City of Halifax, the Safety Committee of Council is responsible for "the management

and supervision of the Police Force" (Ordinance Number 105) while, at the same time, the Halifax Board of Police Commissioners, under the Nova Scotia Police Act, is to provide "the administrative direction, organization and policy required to maintain an efficient and adequate police force" (Police Act, 1974, Chapter 9, 20, 2). The Safety Committee of Council is composed of all thirteen members of Council, and the Board is composed of these same thirteen members plus one representative of the Attorney General.

These two bodies have served as the mechanisms by which members of Council have been able to maintain a link with police matters. They provide members of Council an opportunity for discussions with the Police Chief about the operations of the police force. They also comprise the principal reporting relationships between the Police Chief and Council because the Police Chief does not report to Council through the City Manager as do all other department heads (except the Fire Chief who also reports to the Safety Committee).

(1) Council Policy and Management

On the basis of our review of the operations of this Committee and this Board, we have concluded that neither a body of thirteen persons (the Safety Committee) nor a body of fourteen persons (the Board of Police Commissioners) is able to fulfil the required role of a management committee.

The existence of two large bodies makes it even less likely that the required management role will be fulfilled. The number of participants and the formal reporting relationships between the Chief and members of Council virtually dictate that the Chief not use either the Committee or the Board as a sounding board for the initial airing of complex or sensitive problems or even for a discussion of new ideas about departmental management. What is clearly lacking is a smaller management body that meets with the Chief to discuss management issues in a frank and open manner and combines a thorough understanding of police policy and organization in the City's force with a sound background in general management practices.

(2) Administrative Cooperation and Coordination

The second major characteristic of the present arrangements for the governing and management of the Halifax police force relates to the manner by which the Police Chief and force are separate from the City Manager and other administrative officers and departments of the City government. The Police Chief is responsible for the day-to-day business affairs of his force, including all appointments, promotions, employment and dismissals. In these matters, his authority is distinct from that of the City Manager.

The City Manager, on the other hand, has control over all financial matters pertaining to the police force. He

has also been empowered by the City Charter to attend all meetings of Council and its committees and to make such observations and suggestions as he may deem expedient on the subjects under discussion. In addition he has the power to act as the bargaining agent of the City in the negotiation of contracts between the City and its trade unions and employee associations, concerning wages, salaries and working conditions. While these powers imply a discrete responsibility, in practice their exercise requires a large measure of cooperation with the police department's administration.

On the basis of our review of this dual administrative structure and the interactions which are required by it, we have concluded that there is a need to fit the police force, as a department of City government, more closely into the overall management structure of the City so that taxpayers will receive full value for tax dollars spent on administrative functions throughout the City government. At present there are areas where cooperation has served to promote the efficient and economical use of the City's administrative resources. More could be done, however, to ensure that the most effective coordination of administrative services is provided in areas such as accounting, purchasing, auditing, and personnel, including human resource development and collective bargaining.

What is required is a structure and process that will more closely link the police force with the City's administrative officers and departments so that the relationships between

them are established and coordinated as a matter of City policy. The present arrangements do not achieve what is required precisely because there is no single management group whose task it is to ensure that cooperation and coordination take place.

III. RECOMMENDATIONS

On the basis of our findings and analysis, we recommend that a number of changes be made to the present arrangements for the governing and management of the Halifax police force. In this section we consider (1) the authority of Council, (2) the Board of Police Commissioners, (3) the coordination of the administrative services of City government, and (4) the priority tasks which should be addressed by a reorganized Board of Police Commissioners.

(1) The Authority of Council

Within the jurisdiction of Halifax City Council, as established by the Halifax City Charter, the elected officials who comprise the Council must possess the authority and be responsible for the establishment of general City policy with respect to all City services and regulations. Our present system of civic government clearly provides for the primacy of Council in matters of public policy. With respect to City policy concerning the management and operation of police services, this primacy is both necessary and desirable. It ensures that policies for such services are made by those who are accountable to the citizens of Halifax.

In recognition of this first principle of representative City government, we recommend that final authority reside with Council for:

- (a) the establishment of City policy with respect to levels of service for police operations;
- (b) the annual budget of the police force;
- (c) the appointment of the Police Chief; and
- (d) the appointment of members of the Board of Police Commissioners, the definition of the powers and duties of the Board, and rules and regulations governing its procedures.

The reason for the first power is self-evident, given the primacy of Council over all matters of City policy. The reasons for the second and third powers are also straightforward; the powers to set the annual budget and to appoint the Police Chief are powers over the two principal instruments which serve to ensure that Council policy is implemented. The fourth power gives expression to the provisions of the Police Act, which empowers Council "to direct its own police operations".

(2) The Board of Police Commissioners

In light of our finding that neither the Safety Committee nor the presently constituted Board of Police Commissioners is able to provide the required management direction and guidance for the Halifax Police Chief, we recommend that

the Board be reorganized. What is required is a Board that is small enough to act as a management committee and has the necessary understanding of police operations to assist and direct the Police Chief in his managerial duties.

We recommend, accordingly, that the Board of Police Commissioners be composed of five members, including the Mayor, the Deputy Mayor, one alderman selected by Council, one representative of the Attorney General (as required by the Police Act), and a chairman appointed by Council from the citizens at large. We recommend this composition for the following reasons. First, it is appropriate that a majority of this Board be elected officials in order to ensure both responsiveness to City policy and to the public interest. Second, given the sensitivity of police matters, it is desirable that the elected members of this Board be senior officials, hence our recommendation that the Mayor and Deputy Mayor both be included. Third, we recommend that a citizen at large be appointed Chairman to ensure that there be a chairman, with the right to vote on all decisions of the Board, who has the time to provide the attention which is demanded of this position if the Board is to function as effectively as possible. For this very practical reason we also recommend that the chairman be paid a stipend, to be

determined by Council, but that he or she be the only member of the Board so remunerated. In making its appointment to this position we suggest further that Council give utmost consideration to the need to have a chairman who has a strong background in administrative experience and management skills. In order to ensure the continuity which such a Board requires, we recommend that the chairman be appointed for a term of three years, with the expiration of such term to be on December 31st in a year other than an election year.

As recommended, this reconstituted Board of Police Commissioners would operate within the policies and budget established by Council. The Police Chief would provide the actual day-to-day direction of the police force with respect to the enforcement of law and the maintenance of discipline within the force, as provided for in the Police Act. At the same time, and also as provided for in the Police Act, the Board would have the responsibility to ensure that "the administrative direction, organization and policy required to maintain an efficient and adequate police force" is effected in practice. With respect to the relationships between the Council, the Board and the Police Chief, we recommend that Council establish its policies and set the budget for the police force only after consultation with or

on receipt of recommendations from the Board. In these ways Council will be able to take the best advantage of the experience and expertise that are obtained as a result of the regular contact between the members of the Board and the Police Chief and his force.

The City Charter provides that Council shall appoint the Police Chief on the recommendation of the City Manager. The Board should also have the responsibility to make a recommendation on this appointment. Every effort should be made by the City Manager and the Board to agree on a common recommendation before it is submitted to Council. Finally, we recommend that the Police Chief appoint the Deputy Chief(s) with the approval of the Board.

Among the functions formerly exercised by the Safety Committee and assumed by the Board of Police Commissioners are those related to complaints against members of the force and to disciplinary matters, in which the Board exercises certain judicial functions. We consider that such a judicial role is inappropriate for a body consisting primarily of elected representatives. We therefore concur with the recommendation set forth in Judge Green's report for the establishment of an independent Police Review Board. We recommend that City Council express its support for the establishment of an independent provincial Police Review

Board along the lines recommended by Judge Green, and that it press the Province to enact legislation setting up such a Board. This will ensure that the Board will be able to focus its full attention on its management role.

(3) Coordination of Administrative Services

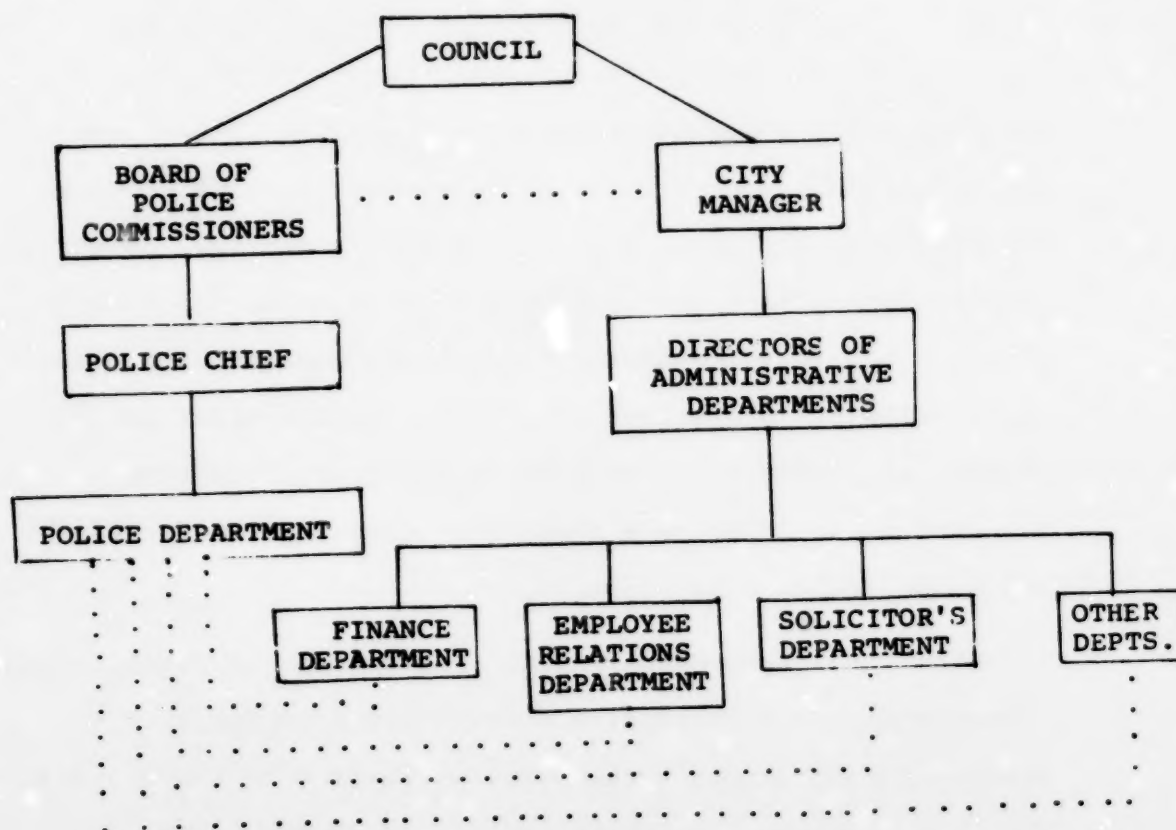
In order to provide for the increased administrative coordination between the police force and relevant City departments and yet maintain the required relationship between the Police Chief and the Board, we recommend that no matter relevant to the function of any administrative department be dealt with by the Board without consultation with and recommendation from the City Manager or any other official expressly designated by him for this purpose. This does not mean that the Board must accept any such recommendations. Rather it means that the Board must secure advice on such matters before making decisions within its powers and before making recommendations and requests to Council. This process will promote greater administrative coordination and cooperation and, accordingly, should help to ensure that tax dollars are spent in the most efficient ways possible.

There are three ways in which the relationships between the Board and the Police Chief, on the one hand, and the City Manager and other officers and departments, on the other,

can be improved to facilitate the consultation that is required by the above recommendation. First, we recommend that the City Manager's existing power to attend all meetings of the Board be continued but that the City Charter be amended to permit the Manager to designate another City official to attend in his absence. Second, we recommend that the City Clerk or a designated member of the Clerk's office serve as Secretary to the Board and that the City Solicitor or a designated member of the Solicitor's staff serve as the Solicitor to the Board and the Department. Third, we recommend that the Finance Department provide Police Department financial support services, including such services as processing of accounts, payroll, inventory control, purchasing, data systems design and development of data for the budget process, and that the Employee Relations Department provide personnel staff assistance and advice in such areas as recruitment, selection, records processing, collective bargaining, employer relations, and comprehensive training and human resource development.

The final responsibility to ensure that the participation, communication and coordination which are intended by the above recommendations actually occur rests with the Board and the City Manager given their respective powers. The following organization chart illustrates the structure of

authority and accountability (as represented by the solid lines) and the processes of consultation and administrative services (as represented by the dotted lines) which our recommendations envisage.



(4) Priority Tasks for Consideration by the Board

Our review has identified a number of matters which deserve the immediate attention of the Board of Police Commissioners. These include:

- (a) the possible re-organization of the structure of the police force into two bureaux, or Divisions, as outlined in the Police Chief's report to Council dated October 16, 1981, and, if the force is to be so reorganized, the appointment of the Deputy Chiefs to head each of the two bureaux or divisions;
- (b) the appointment of the management members of the employee-relations committees as provided in the collective agreements;
- (c) the formulation of staffing policies with respect to establishment size, recruitment standards, training standards, promotions criteria, non-sworn personnel, and retirement or redeployment of sworn personnel on medical grounds;
- (d) the review of disciplinary procedures as set forth in the Nova Scotia Police Act and Regulations as they apply to the Halifax Police Department;
- (e) training policies, including in-service training and relationships to the Atlantic Police Academy, universities and other institutions offering special

professional, technical and managerial training and education;

(f) the possibility that several tasks presently administered by the police force, not being essentially police functions, be transferred to other City departments including

(i) the collection of uncontested parking tickets which could be administered by the Finance Department:

(ii) the licensing and inspection of taxicabs;

(g) computerization of record systems;

(h) the exploration of possible mechanisms for regional cooperation on police matters.

SUMMARY LIST OF RECOMMENDATIONS

The Halifax Commission on City Government recommends that:

1. Final authority remain with Council for (a) the establishment of City policy in respect of levels of service for police operations; (b) the annual budget of the police force; (c) the appointment of the Police Chief; (d) the appointment of the members of the Board of Police Commissioners.
2. The Board of Police Commissioners be composed of the Mayor, the Deputy Mayor, one alderman selected by Council, a representative of the Attorney General, and a Chairman appointed by Council from the citizens at large.
3. Council establish the powers of the Board in the by-laws of the City as required by the Nova Scotia Police Act.
4. The Chairman have the right to vote on all decisions of the Board; that the Chairman be paid a stipend to be determined by Council; that the Chairman be appointed for a three year term with the expiration of such term to be on December 31st of a year other than an election year.

5. The Management of the police force be the responsibility of the Police Chief under the direction of the Board, which shall ensure the administrative direction, organization and policy required to maintain an efficient and adequate police force as required by the Nova Scotia Police Act.
6. Council make decisions with respect to police matters only after receipt of recommendations from the Board.
7. Council appoint the Police Chief after having received the required recommendations from the Board and from the City Manager.
8. The Police Chief appoint the Deputy Chief(s) with the approval of the Board.
9. Council express to the Government of Nova Scotia its support for the establishment of an independent Police Review Board along the lines recommended by Judge Nathan Green in the Report of the Commission to Review the Police Act (1931).
10. The Board consult with and receive a recommendation from the City Manager, or other City officials expressly

designated by him, before making decisions or submitting recommendations to Council on matters relevant to the function of any administrative department of the City.

11. The City Manager have the power to attend all meetings of the Board or to designate another City official to attend in his absence.
12. The City Clerk or a designated member of the Clerk's office serve as Secretary to the Board.
13. The City Solicitor or a designated member of the Solicitor's staff serve as Solicitor to the Board and to the police department.
14. The Finance Department provide financial support services to the police force.
15. The Employee Relations Department provide personnel staff assistance to the police force.

APPENDIX II

MATTERS REFERRED BY THE CITY TO THE COMMISSION

At various times throughout our study, specific matters were referred by City Council and the City Manager to the Commission for consideration. Some of these concerned topics that were outside our interpretation of our terms of reference, but others were directly relevant to our mandate. To assist Council and staff in identifying how the Commission has dealt with these matters, the following tabulates the subjects and the action taken.

Matters were referred to the Commission on five separate occasions:

1. City Council referred to the Commission a motion introduced on September 28, 1981, which would have the effect of transferring the Parks and Playgrounds Division from Engineering and Works to the Recreation Department. Our discussion and recommendations on this matter may be found on page 128 of the Report.

2. On December 4, 1981, the City Manager requested that the Commission examine thirteen items submitted as City staff proposals for amendments to the City Charter or to the City Policy and Procedures Manual. Of these, we considered

a number to be largely administrative matters on which management should take the action it deems appropriate, while others have been considered in our recommendations. The items are referred to by the index sequence that appears on the documents submitted.

Attachment "A" contains proposals for changes in the City Charter's description of budget presentations:

This proposal to simplify the language of the City Charter, at the same time making presentation of the budget in program format a requirement, and providing that a separate capital budget be prepared, is largely administrative. We have dealt with the budgetary process on pages 39 to 45 of the report.

Attachments "B" and "D" contain proposed amendments to the City Charter and to the Policy Manual to provide the City Manager with greater flexibility in transferring budget allocations within departments. The granting of this authority appears to be a reasonable simplification of financial administration, but implementation should carry with it a requirement that resulting changes in budgetary allocations be reported to Council.

Attachment "C" contains proposed amendments to the City Charter to expand the City Manager's authority to make expenditures within the budget. This appears to be a reasonable simplification of administrative procedures but

the City Manager should be required to inform Council of any dispositions made within the proposed new section 194.

Attachments "F", "G" and "H" deal with the tendering process. The Commission's findings and recommendations on pages 48 to 50 deal with this matter.

Attachment "I" refers to a contingency fund to be administered by the City Manager. The proposed amendment would establish authority for such a fund, and would lift the present limits on spending authorizations by the City Manager. Since the proposed amendments contain provisions for reporting to Council on the use of such powers, the Commission agrees that the proposal would simplify the administrative process.

Attachments "J" and "K", dealing with the investment of surplus funds, would remove "red tape" from the process without reducing investment control safeguards. The Commission sees no objection to this simplification.

Attachment "L" is a proposed City Charter amendment to raise from \$1000 to \$3000 the level of settlements of claims against the City that can be approved by the City Manager without reference to Council. This amendment gives recognition to the practical consequences of inflation, and the Commission would endorse the proposal.

Attachment "M" raises the limits on claims made by the City that can be settled by the City Manager from \$2000 to

\$3000. This proposal is endorsed.

Attachment "E" is a proposed addition to the procedure for monitoring Capital Budget projects. This appears to be a purely administrative matter.

3. At the meeting of the Finance and Executive Committee held on May 5, 1982, the matter of honoraria for members of Boards and Commissions was referred to the Halifax Commission on City Government for analysis and recommendation. Our discussion of this matter is contained in pages 54 to 56 of our Report.

4. At the same meeting on May 5th, the Deputy Mayor requested that the Commission review the problems underlying the disagreement between the Board of School Commissioners and the Council, with respect to the Early Age Admission Program. The section of our Report dealing with financial relationships between the City and the Board of School Commissioners relates to this question and may be found on pages 84 to 88.

5. On May 26, 1982, Mayor Ron Wallace referred five items to the Commission for study and recommendation.

(1) The first item posed questions of criteria for the election of the Deputy Mayor, and whether the term of office should remain at one year.

Our discussion of these and related matters is set forth on pages 22 and 23 of the Report.

(2) The second item requested the Commission's views on the desirability of establishing a five-man board advisory to the Fire Chief.

Our discussion on this matter is set forth on page 101 of the Report.

(3) The third item asked the Commission to address the question of whether the Internal Auditor should report directly to Council.

Our discussion about the role of the Internal Auditor is set forth on pages 125 and 126. The section of our Report dealing with a proposed Audit Committee (pages 45 to 48) is also relevant to this query.

(4) The fourth item suggested for consideration was the time and duration of meetings of Council and its Committees.

While the scheduling of meetings is largely an administrative matter, the Commission has been conscious of the need, on the one hand, to relieve Council of some of the time-consuming administrative matters that presently appear on Council's agendas and, on the other hand, to reduce the demands imposed by service on boards and commissions. Our recommendations on Council meetings (pages 15 and 26) and on membership of Aldermen on committees, boards and commissions bear somewhat on the question posed (pages 18 and 19).

(5) The final item asked the Commission to examine the desirability of appointing a transportation officer to be in

charge of allocating City owned vehicles. What clearly is required are well defined policies on the use of City owned automobiles, but Commission considers that the operational implications of policies and their implementation are management responsibilities.

6. On June 15, 1982, the City Manager referred to the Commission a staff report on "A Marketing Strategy for Halifax". The subject of this report is touched on in the section of our Report dealing with the proposed Planning and Development Department, pages 131 to 140.

7. At the meeting of the Finance and Executive Committee, held on August 18, 1982, the matter of stipends was referred to the Commission. Comments and recommendations on this subject are set forth on pages 54 to 56 of our Report.

APPENDIX III

SUBMISSIONS FROM THE PUBLIC

Very early in its review, the Commission sought to enlist the views of citizens and organizations on the subjects covered by the terms of reference. Through advertisements and news releases, letters to public interest groups, and by direct contact, the Commission invited comment and advice. A series of public meetings in late January, 1982, provided a number of formal briefs as well as oral presentations, while other members of the public responded through correspondence with the Chairman and staff members of the Commission. A list of those making these various submissions is set forth below.

Several of the public submissions were not directly related to the mandate of the Commission, since they dealt with policy and personnel matters rather than with those of structure and process. In summary, the issues relevant to our study that were raised dealt with the following topics:

- . Public access to information and documents
- . Openness of Council meetings
- . Conflict of interest concerns regarding election contributions
- . Public support for election expenses

- . Public support for community groups
- . Council-staff relations
- . The planning process
- . Public input in appointments
- . Council-Manager system.
- . Labour Management relations

Throughout our work program we have made frequent reference to these issues, and the input from the public submissions has been a useful factor in many of our recommendations.

List of individuals and organizations making representation

Canadian Research Institute for the Advancement
of Women

Louis Collins

Community Planning Association of Canada

Joanne Cook

Thomas N. B. Creighton

Downtown Committee

Howard Epstein

Mr. & Mrs. Finley Evong

Frank Fryer

Robert Haley

Haifax Board of Trade

Halifax Civic Employee's Council

Haifax-Dartmouth District Labour Council

Halifax Homeowners' Association

Halifax Police Officers' Association

Halifax Police Patrolmen's Association

John Jenkins

Dr. Mairi St. John Macdonald

Marjorie McPhail

Metro Halifax Little League Baseball Association

Robert O'Connell

Elizabeth Pacey

Allan Ruffman

Ward Two Residents Council

APPENDIX IV

AGENCY PROFILE QUESTIONNAIRE

HALIFAX COMMISSION ON CITY GOVERNMENT

Review of Departments, Boards and Commissions

(herein called "Agencies")

1. Describe the programs of your agency, and the functions and activities which are undertaken to implement them.
2. Are the objectives of your programs formally set forth? If so, please append a copy, or indicate where they may be found.
3. Describe the organization of your agency, including internal staff reporting relationships, how responsibility is delegated, and what mechanisms for coordination are in place.
4. Indicate how, or what subjects and how frequently your agency reports to the following:

City Council
City Manager
The Public
5. Describe any other reporting relationship not mentioned in No. 4.
6. Describe other agencies of the City with whom you communicate, for what purpose and how such communication is carried on.
7. Describe what medium- and long-range planning activities are undertaken in your agency with respect to present and future programs.
8. What do you see as the principal barriers to your agency in carrying out its work more effectively?

9. Indicate where, how and by whom you think key decisions are made with respect to your program. Is this decision-making process satisfactory?
10. What do you see as the principal challenges facing your agency in the years ahead?
11. Please comment freely on any other matter you think would be helpful to the tasks of the Commission.

Your reply will be treated in strict confidence by the staff and members of the Halifax Commission on City Government.

Please append to this report:

Copies of ordinances governing the operations of your agency.

Copies of legislation which your agency is charged with administering in the City.

Copies of your recent annual statement.

Copies of your most recent annual report.